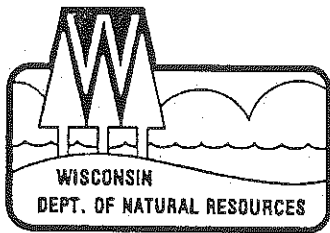




*APPENDIX M*  
*PREVIOUS WIDNR APPROVALS*



George E. Meyer  
Secretary

**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Southeast District - Annex Building  
Post Office Box 12436  
4041 N. Richards St.  
Milwaukee, Wisconsin 53212  
TELEPHONE: 414-961-2727  
TELEFAX #: 414-961-2770

March 15, 1994

In Response Refer To: FID#241384000  
County of Milwaukee  
HW/LIC/eogilcl.394

Mr. Michael Villione, President  
EOG Disposal Inc.  
5611 West Hemlock Street  
Milwaukee, WI 53223

Subject: Interim License Application Determination  
EOG Disposal, Inc. 5611 West Hemlock Street, Milwaukee, WI  
EPA I.D.#: WID 988580056

Dear Mr. Villione:

This letter acknowledges receipt of a complete and technically adequate interim license application entitled "Application for an Interim License to Store Hazardous Waste", for EOG Disposal, Inc. (EOG) located at 5611 West Hemlock Street, Milwaukee, Wisconsin. The application was received by the Southeast District on March 8, 1993. Additional information was submitted on October 26, 1993, January 31, 1994, February 21, 1994 and March 4, 1994. The application was prepared by RMT, Inc., Madison, Wisconsin and has been reviewed for completeness and technical adequacy by the Department.

The Department received a check in the amount of \$ 4,000 on March 8, 1993 to cover the interim license application for commercial container storage. This is a one-time only fee to cover the interim license period until a final determination on issuance of an operating license is made by the Department.

In accordance with procedures detailed in s. NR 680.24, Wisconsin Administrative Code, the Department has reviewed the interim status license application for completeness and technical adequacy and has determined that it contains the minimum information required pursuant to ss. NR 680.21 and NR 680.22, Wisconsin Administrative Code, and is, therefore, complete and technically adequate. The Department has the authority to issue interim licenses under s. 144.64(2)2.(c), Wisconsin Statutes. This cover letter, the attached conditional interim license approval report, and the one-page hazardous waste interim license (the interim license will be sent directly from Madison), constitute an interim license and should be filed together. This is a favorable interim license determination. Until condition #17 of the attached determination is satisfied, EOG





cannot begin storing hazardous waste. EOG shall inform the Department when they have satisfied condition #17.

This interim license allows EOG (pursuant to s. NR 680.20, Wis. Adm. Code) to manage hazardous wastes that satisfy the following three conditions:

1. materials that EOG was authorized to accept prior to the promulgation of the TCLP regulations,
2. materials which are hazardous waste only because of the implementation of the TCLP regulations, and
3. materials that are not considered to be hazardous waste by the federal government but are considered to be hazardous waste by the state.

EOG is eligible to accept hazardous wastes with the following waste codes: D012 Endrin; D013 Lindane; D014 Methoxychlor; D015 Toxaphene; D016 2,4-D; D018 Benzene; D019 Carbon Tetrachloride; D020 Chlordane; D021 Chlorobenzene; D022 Chloroform; D023 o-Cresol; D024 m-Cresol; D025 p-Cresol; D026 Cresol; D027 1,4-Dichlorobenzene; D028 1,2-Dichloroethane; D029 1,1-Dichloroethylene; D030 2,4-Dinitrotoluene; D032 Hexachlorobenzene; D033 Hexachlorobutadiene; D034 Hexachloroethane; D035 Methyl Ethyl Ketone; D036 Nitrobenzene; D037 Pentachlorophenol; D038 Pyridine; D039 Tetrachloroethylene; D040 Trichloroethylene; D041 2,4,5-Trichlorophenol; D042 2,4,6-Trichlorophenol; and D043 Vinyl Chloride

Management of any other hazardous wastes and any other wastes codes are prohibited.

As part of the approval of this interim license and in order to obtain a final license, EOG shall prepare and submit a feasibility report and plan of operation within 180 days of the date of this determination. The feasibility report and plan of operation must comply with the plan submittal, operation and construction requirements of chs. NR 600 through 685, Wisconsin Administrative Code.

The submittal shall contain a cover letter which clearly explains EOG's intent with the submittal and a table of contents which explains the organization of the report.

EOG is required to obtain local approvals under ch. 144.44, Wisconsin Statutes. EOG may not submit the feasibility report and plan of operation until the 120 day waiting period has expired or until EOG has obtained a waiver of the waiting period from the local governing body. If you are required to obtain local approvals and enter into the negotiation and arbitration process for the siting of a hazardous waste facility, then you must send a copy of the attached Waste Facility Siting Board notice. A copy of the Waste Facility Siting Board notice must accompany any written request for local approvals to each affected municipality as required by s. 144.44(1m)(bn), Wisconsin



Statutes. Requests for local approvals must be sent by certified mail. A copy of the local approval request to each affected municipality and the returned certified mail receipt must be sent to the Waste Facility Siting Board and the Department.

The Department is required to prepare an environmental assessment under ch. NR 150, Wisconsin Administrative Code, on feasibility reports and plans of operation of your type. To aid in completing this environmental assessment and in determining the need for an environmental impact statement, the feasibility report and plan of operation should include a brief discussion of the following:

- a. The purpose and need for the proposed project and for the recommended site.
- b. The probable adverse and beneficial physical, biological, social, economic and other impacts of the proposed site development.
- c. The probable adverse impacts of site development that cannot be avoided.
- d. The irreversible or irretrievable commitments of resources if the site is developed as proposed.
- e. The alternatives to the proposed site development and alternative methods of waste disposal or recycling.
- f. The direct, indirect and cumulative effects of the proposed site development.
- g. Estimated construction, operation, and long term care costs for the entire project.

The Department cannot issue a determination on the feasibility report and plan of operation without having completed an environmental assessment.

The Department is required by s. 144.44(2)(om), Wisconsin Statutes, to determine the need for a hazardous waste facility. This determination must be made at the feasibility stage of the licensing process. The Department must consider the approximate service area of the proposed facility, taking into account the economics of waste collection, transportation, and disposal; the quantity of waste suitable for handling at the proposed facility generated within that service area; and the design capacity of certain facilities located within that anticipated service area (see ss. 144.44(2)(nm), (nr), and (om), Wisconsin Statutes). EOG shall submit the above information to the Department in the feasibility report and plan of operation.

If you believe that you have a right to challenge this decision, you should know that Wisconsin Statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.



For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wisconsin Statutes, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate Circuit Court and serve the petition on the respondent, the Department of Natural Resources.

This notice is provided pursuant to s. 227.48(2), Wisconsin Statutes.

The staff review person assigned to this project is Patrick Brady, at phone 414/961-2717. Please contact him with any questions you may have.

Sincerely,



Walter A. Ebersohl  
Hazardous Waste Management Section Supervisor  
Southeast District

attachment

- c: SED Casefile (W. Ebersohl, P. Brady)  
Ed Lynch - SW/3  
Chuck Slaustas, U.S. EPA - Region 5, HRP/8J  
Doug Wierman, RMT, Inc.



**BEFORE THE STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES**

**INTERIM LICENSE DETERMINATION  
FOR A HAZARDOUS WASTE STORAGE FACILITY**

**EOG DISPOSAL, INCORPORATED  
MILWAUKEE, WISCONSIN  
WID 988580056  
FID 241384000**

**GENERAL FACILITY INFORMATION**

**Name and location of Facility:**

EOG Disposal Inc.  
5611 West Hemlock Street  
Milwaukee, Milwaukee County, WI 53223  
SW 1/4 of SW 1/4 of Section 14, Town 8N, Range 21E  
Longitude: 89° 18' 04" West, Latitude: 43° 03' 48" North

**Facility Owner/Operator:**

Michael Villione, President  
EOG Disposal, Inc.  
5611 West Hemlock Street  
Milwaukee, WI 53223  
Phone: (414) 353-1156

**Authorized Contact:**

Michael Villione, President  
EOG Disposal, Inc.  
Phone: (414) 353-1156

**Submittal Prepared by:**

Douglas Wierman, C.P.G., Project Director, RMT Inc., 744 Heartland Trail  
Madison, WI 53708-8923, Phone: (708) 995-1500;  
Tom Danzer, Project Scientist, RMT, Inc.;  
Patrick Smith, Project Engineer, RMT, Inc.; and  
Katherine Martin, P.E., Wisconsin P. E. #E-21360, RMT, Inc.





### Facility Description:

EOG Disposal, Inc. (EOG) operates a solid waste transfer and processing facility and is licensed by the Department for processing and transferring of solid waste. The waste materials received at EOG are generated by industry, commercial establishments, small businesses, educational facilities, and other institutions. EOG is authorized to accept six categories of waste under their existing solid waste permit. These include off-specification and used chemical products, oils, coolants, cleaning solutions, wastewater and paints.

As a result of Wisconsin's incorporation of the Toxic Characteristic Leaching Procedure (TCLP) requirements, some of the nonhazardous waste streams previously handled by EOG are now classified as hazardous waste. For EOG to continue to handle these waste types they need a hazardous waste storage license. Some materials, such as used oil destined for burning, is exempt from federal hazardous waste regulation but under Wisconsin law is subject to hazardous waste regulation. Because EOG submitted a interim license application within three months of the effective date of the state's promulgation of the TCLP regulations, EOG is eligible for an interim hazardous waste storage license from the Department. An interim status storage license will be limited to materials that EOG was authorized to accept prior to the promulgation of the TCLP regulations, materials which are hazardous waste only because of the implementation of the TCLP regulations, and materials that are not considered to be hazardous waste by the federal government but are considered to be hazardous waste by the state.

EOG has a capacity to store 1,440 drums of nonhazardous waste in their warehouse building. Nonhazardous waste drums are stacked two high. With the same layout in the same area, EOG has the capacity to store 720 drums of hazardous waste. Hazardous waste drums are stacked one high. Nonhazardous waste drums shall be placed in the storage area starting at the west side. Hazardous waste drums shall be placed in the drum storage area starting with the east side. A three foot aisle space is left in between rows of pallets of drums. The storage area has a continuous sealed concrete base with no floor drains. With the addition of curbing across the loading dock overhead door and mandoor, adequate containment capacity should exist within the storage area. The room is equipped with emergency equipment, security, fire protection, and other standard features of a licensed hazardous waste storage facility sufficient to prevent the release of hazardous wastes to the environment.

Waste codes EOG is eligible to accept include: D012 Endrin; D013 Lindane; D014 Methoxychlor; D015 Toxaphene; D016 2,4-D; D018 Benzene; D019 Carbon Tetrachloride; D020 Chlordane; D021 Chlorobenzene; D022



Chloroform; D023 o-Cresol; D024 m-Cresol; D025 p-Cresol; D026 Cresol; D027 1,4-Dichlorobenzene; D028 1,2-Dichloroethane; D029 1,1-Dichloroethylene; D030 2,4-Dinitrotoluene; D032 Hexachlorobenzene; D033 Hexachlorobutadiene; D034 Hexachloroethane; D035 Methyl Ethyl Ketone; D036 Nitrobenzene; D037 Pentachlorophenol; D038 Pyridine; D039 Tetrachloroethylene; D040 Trichloroethylene; D041 2,4,5-Trichlorophenol; D042 2,4,6-Trichlorophenol; and D043 Vinyl Chloride

### FINDINGS OF FACT

The Department finds that:

1. On June 25, 1990, EOG initially notified EPA of their hazardous waste activity.
2. June 29, 1990 was the federal deadline date for a new RCRA facility to submit a notification form to be eligible for interim status because of the change to TCLP requirements.
3. On September 9, 1990, the EOG facility in Milwaukee started operations.
4. September 29, 1990 was the federal deadline date for a new RCRA facility to submit their PART A permit application to be eligible for interim status because of the change to TCLP requirements.
5. On February 2, 1991, EOG submitted a notification of regulated activity form to EPA. The activities covered in the notification form included generator, treater/storer, transporter and marketer.
6. On February 18, 1991, the Department issued a conditional approval of a plan of operation for a solid waste transfer facility for EOG. The conditions in the approval included no waste processing, no accepting of hazardous waste, and required a solid waste license before accepting waste.
7. On July 18, 1991, EOG submitted their original PART A application.
8. On November 11, 1991, the Department issued a conditional approval of a plan of operation for a solid waste processing facility at EOG.
9. On June 8, 1992, EOG sent a letter to Barb Zellmer regarding their handling of used oil and the application of the hazardous waste regulations.



10. On June 11, 1992, the Department issued a letter to EOG determining the acceptability of a field modification to a spill containment area for their solid waste facility.
11. On July 8, 1992, the Department acknowledged receipt of financial responsibility documents for EOG's solid waste processing facility.
12. On July 8, 1992, the Department issued a solid waste transfer facility and operating license to EOG effective until September 30, 1992.
13. The State of Wisconsin adopted the federal toxicity characteristic (TC) rule on September 1, 1992, adding twenty-five hazardous waste codes to s. NR 605.08, Wisconsin Administrative Code.
14. On October 1, 1992, the Department issued a solid waste transfer facility and operating license to EOG to last until September 30, 1993
15. On November 2, 1992, a meeting was held between the Department and EOG regarding their interim license application and TC wastes.
16. On November 11, 1992, an interim hazardous waste license application was submitted to the Department from EOG. The application included a revised Part A application which included treatment in a 50,000 gallon tank for waste fuel blending. The application also included a \$500.00 check.
17. On January 7, 1993, the Department issued to EOG an acknowledgement of receipt and notice of incompleteness for their interim hazardous waste license application.
18. On January 19, 1993, the Department met at the EOG facility to observe facility operations and discuss issues regarding the interim license.
19. On January 26, 1993, the Department received a letter from EOG acknowledging the January 19, 1993 meeting and the Department's approval of a three week extension on their response to the incompleteness letter.
20. On March 4, 1993, EOG resubmitted their application for an interim license to store hazardous waste. The application included a revised PART A application which just covered storage in drums. The application also included a \$4,000.00 check.



21. On July 14, 1993, the Department issued a notice of incompleteness letter to EOG on their interim license application.
22. On August 13, 1993, EOG along with their consultant and lawyer met with the Department to discuss the July 14, 1993 notice of incompleteness letter. A memorandum prepared by the Department and dated August 17, 1993 summarized the conversations and agreements reached at the August 13, 1993 meeting.
23. An October 26, 1993 response to the August 17, 1993 memorandum was sent by EOG to the Department. Additional information was submitted by EOG to the Department on January 31, 1994.
24. On February 16, 1994, the Department issued a letter to EOG regarding financial responsibility for the interim hazardous waste license requesting additional information. Responses were received from EOG on February 21, 1994 and March 4, 1994.

#### CONCLUSIONS OF LAW

1. The Department has promulgated chs. NR 600 through 685, Wisconsin Administrative Code, establishing minimum requirements for hazardous waste management under the authority of ss. 144.60 to 144.74, Wisconsin Statutes.
2. The Department has the authority to issue an interim license for hazardous waste management so as to comply with s. NR 680.20 through s. NR 680.24, Wisconsin Administrative Code, pursuant to s. 144.64, Wisconsin Statutes.
3. The Department has complied with the procedural requirements of s. NR 680.24, Wisconsin Administrative Code.
4. This approval is necessary to ensure compliance with s. NR 680.20 through s. NR 680.24, Wisconsin Administrative Code.
5. Based on the foregoing findings, the Department has the authority, pursuant to s. 144.64, Wisconsin Statutes, to issue the following interim license.

#### DETERMINATION

Based on the Finding of Facts and Conclusions of Law, the Department issues this favorable determination for an interim license application to EOG subject to compliance





with chs. NR 600 through 685 and ch. NR 140, Wisconsin Administrative Code, and the following conditions:

The Department retains the right to modify this determination and to require additional information at any time. Nothing in this conditional determination shall relieve EOG of the legal obligation to comply with any applicable federal, state and local approvals. No other terms or conditions of the feasibility and plan of operation approval are affected by this determination.

**CONDITIONS OF APPROVAL:**

1. EOG shall comply with the provisions of ch. 144, Wisconsin Statutes, all applicable requirements of chs. 680 through 685, Wisconsin Administrative Code, and all of the conditions of this interim license approval.
2. EOG shall submit a feasibility report and plan of operation for hazardous waste container storage within 180 days of the date of this interim status approval, in accordance with s. NR 680.05, Wisconsin Administrative Code. This includes certification by a registered professional engineer, (s. NR 680.05(1)(c), Wisconsin Administrative Code).
3. EOG shall only manage hazardous wastes that satisfy the following three conditions:
  - a. materials that EOG was authorized to accept prior to the promulgation of the TCLP regulations,
  - b. materials which are hazardous waste only because of the implementation of the TCLP regulations, and
  - c. materials that are not considered to be hazardous waste by the federal government but are considered to be hazardous waste by the state.
4. EOG shall only accept hazardous wastes with the following waste codes: D012 Endrin; D013 Lindane; D014 Methoxychlor; D015 Toxaphene; D016 2,4-D; D018 Benzene; D019 Carbon Tetrachloride; D020 Chlordane; D021 Chlorobenzene; D022 Chloroform; D023 o-Cresol; D024 m-Cresol; D025 p-Cresol; D026 Cresol; D027 1,4-Dichlorobenzene; D028 1,2-Dichloroethane; D029 1,1-Dichloroethylene; D030 2,4-Dinitrotoluene; D032 Hexachlorobenzene; D033 Hexachlorobutadiene; D034 Hexachloroethane; D035 Methyl Ethyl Ketone; D036 Nitrobenzene; D037 Pentachlorophenol; D038 Pyridine; D039



Tetrachloroethylene; D040 Trichloroethylene; D041 2,4,5-Trichlorophenol; D042 2,4,6-Trichlorophenol; and D043 Vinyl Chloride

5. EOG shall comply with the requirements of s. 144.44, Wisconsin Statutes, regarding local approvals.
6. In order to assist the Department in completing an environmental assessment and in determining the need for an environmental impact statement, EOG shall include a brief discussion on the following information in the feasibility report and plan of operation:
  - a. The purpose and need for the proposed project and for the recommended site.
  - b. The probable adverse and beneficial physical, biological, social, economic and other impacts of the proposed site development.
  - c. The probable adverse impacts of site development that cannot be avoided.
  - d. The irreversible or irretrievable commitments of resources if the site is developed as proposed.
  - e. The alternatives to the proposed site development and alternative methods of waste disposal or recycling.
  - f. The direct, indirect and cumulative effects of the proposed site development.
  - g. Estimated construction, operation, and long term care costs for the entire project.
7. EOG shall comply with the notice requirements of s. NR 630.10, Wisconsin Administrative Code, and explain how they comply with the requirements in the feasibility report and plan of operation.
8. EOG shall maintain closure financial responsibility in accordance with s. NR 685.07, Wisconsin Administrative Code.
9. EOG shall maintain liability insurance in accordance with the requirements of s. NR 680.21(2)(b), Wisconsin Administrative Code.



EOG Interim License Determination - March 15, 1994

9

This notice is provided pursuant to section 227.48(2), Stats.

If you have any questions regarding this approval, please contact Patrick Brady at (414) 961-2717.

Walter A. Ebersohl

Walter A. Ebersohl,  
Hazardous Waste Management Section Supervisor  
Southeast District

3/15/94

Date

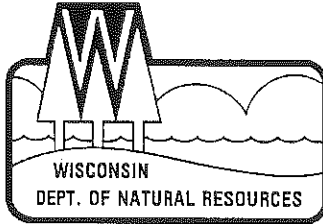
Patrick Brady

Patrick Brady  
Waste Management Engineer  
Southeast District

3-15-94

Date





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Gloria L. McCutcheon, District Director

Southeast District Annex  
4041 N. Richards Street, Box 12436  
Milwaukee, WI 53212-0436  
TELEPHONE 414-229-0800  
FAX 414-229-0810

April 19, 1996

In Response Refer To: FID# 241384000  
HW/LIC/eogdcl.496

Michael Vilione, President  
EOG Disposal, Inc.  
5611 West Hemlock Street  
Milwaukee, WI 53223

SUBJECT: EOG Disposal, Inc., 5611 West Hemlock Street, Milwaukee, WI  
EPA ID# WID003967148  
Feasibility and Plan of Operation Report Determination

Dear Mr. Vilione:

The department has reviewed for completeness and technical adequacy EOG Disposal, Inc. (EOG)'s September 1994 feasibility and plan of operation report (FPOR) requesting a hazardous waste operating license. Additional information was received on February 27, 1995, April 21, 1995, November 10, 1995, and February 22, 1996. The FPOR was prepared by EOG and their consultants, RMT, Inc., and Graef, Anhalt, and Schloemer and Associates, Inc.

A draft preliminary determination to conditionally approve the FPOR was issued by the department on October 11, 1995. Additional information which was requested in the draft preliminary FPOR determination was submitted by EOG on November 10, 1995. EOG submitted a document on February 22, 1996, requesting changes in the FPOR to allow for the implementation of additional operations in the phased construction and licensing of the facility. The department has modified some of the narrative and conditions of the draft preliminary determination in response to your February 22, 1996, request, the additional information received and further evaluation of the document by the department. The changes to the draft preliminary determination are as follows:

1. In regard to the changes in the numbering of conditions in the final determination from the condition numbers in the draft preliminary determination, the following has occurred:
  - a. no new conditions under "General Conditions";
  - b. five new conditions added under "Specific Conditions" (Conditions #20 and #21 are new conditions, so Conditions #22 through #24, were #20 through #22; Condition #25 is a new condition, so Conditions #26 through #31, were #23 through #28;





## Cover Letter FPOR Determination - EOG - April 19, 1995

Condition #32 is new, so Condition #33, was #29, Condition #34 is new, so Conditions #35 through #47, were #30 through #42);

- c. five new conditions added under **"Specific Conditions - Waste Analysis"** (Condition #48 was #43, Conditions #49 through #53 are new conditions, Conditions #54 and #55, were #44 and #45);
  - d. no new conditions under **"Specific Conditions - Tanks"** (Conditions #56 through #61, were #46 through #51);
  - e. no new conditions under **"Specific Conditions - Containers"** (Conditions #62 through #78, were #52 through #68, Condition #79 is a new condition);
  - f. six new conditions under the new heading, **"Specific Conditions - Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building"** (the new conditions are #80 through #85);
  - g. five new conditions under the new heading, **"Specific Conditions - Lugger Box Container Storage"** (the new conditions are #86 through #90); and
  - h. two new conditions under the new heading, **"Specific Conditions - Fuel Blending Activities"** (the new conditions are #91 and #92).
- 2. Wording has been added to condition #9 to show that because of the time delay between the FPOR determination and the phases of facility construction, conditions may arise that would compel the department to request EOG to submit a revised FPOR or additional information.
  - 3. A comment has been added to Condition #17 because of the phased construction and licensing.
  - 4. Condition #19 has been revised to emphasize the need for EOG to show compliance with the air emission standards for process vents and equipment leaks before the department can issue a license or license modification to the applicable unit.
  - 5. Conditions #24, #26, #27, #28, #29, #65, #72, and #76 are revisions reflecting phased construction and licensing.
  - 6. Condition #26 is a revision reflecting phased construction and adding an additional requirement if a phase of construction has not been started within 2 years of the date of the determination.



## Cover Letter FPOR Determination - EOG - April 19, 1995

7. Condition #30 is a revision deleting the last sentence because it was confusing with respect to condition #27.
8. Conditions #36, #37 and #38 are revisions to reflect that there are more than one containment system.
9. Condition #41 is a revision to correct a spelling error.
10. Condition #66 is a revision that changed "*inspected weekly*", to "*inspected at least weekly*".
11. Condition #20 has been added to incorporated submittals into the FPOR as was presented in the February 6, 1996, memo to Kandylee Schmidt, and in addition have done the following:
  - a. Items identified as being incorporated into a "*Construction Specifications*" attachment have been incorporated into Attachment 16 and has been retitled "*Design Specifications*".
  - b. Your February 22, 1996, letter regarding the revisions to the FPOR has been incorporated into a new attachment, Attachment 17 and titled "*Phased Construction Revisions*".
  - c. The new "*Licensing Correspondence*" attachment is identified as Attachment 18.

The department requests EOG to submit a new revised table of contents to reflect the above changes within 15 days of the date of this letter. The revised table of contents should be part of the final FPOR document that you send out to the local library and U.S. EPA.

12. Condition #21 is a standard condition to ensure the future integrity of the FPOR.
13. Condition #25 has been added to assist the department in keeping track of the facility construction.
14. Condition #32 has been added to complement Condition #5, and assist EOG in complying with hazardous waste management regulations.
15. Condition #34 was added to ensure that hazardous waste trucks and tankers are not stored outside of the facility.



## Cover Letter FPOR Determination - EOG - April 19, 1995

16. Four additional conditions were added under the "*Special Conditions - Waste Analysis*" heading in order to provide some more specific waste analysis conditions.
17. Condition #79 was added to provide limitations on the storage of containers of various sizes.
18. Conditions #80 through #90 are specific container conditions that have been added under the titles "*Lugger Box Container Storage*" and "*Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building*". This does not mean that the conditions under "*Specific Conditions - Containers*" do not apply to the lugger box container storage and the container storage before EOG receives a license for container storage in the lab pack building. Specific container conditions under "*Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building*" will also apply to containers stored in the existing building before ignitable wastes can be stored. These conditions have been added because of phased construction and the need for more specific conditions for lugger box storage.
19. Conditions #91 and #92 are specific conditions that have been added under the heading, "*Fuel Blending Activities*" to coordinate the fuel blending recycling exemption with related activities requiring licensing.

Based on the review of the submitted material, it is our opinion that your proposed hazardous waste storage facility provides for satisfactory hazardous waste storage provided the conditions in the attached FPOR final determination are followed. The facility and operating plan are, therefore, approved subject to compliance with Chapters NR 600 through 685, Wisconsin Administrative Code, and to fulfillment of the conditions listed in the attached FPOR final determination. The department reserves the right to require changes in the FPOR should conditions arise making such necessary.

The attached final determination includes conditions. Please review the final determination carefully. The department believes that these conditions are necessary for EOG to comply with chs. NR 600 through 685, Wisconsin Administrative Code.

A needs assessment of the proposed facility has been completed and the department has also determined that an environmental impact statement is not needed, and that wetlands water quality standards (ch. NR 103, Wisconsin Administrative Code) have been met.

Please be reminded that construction inspection and construction documentation review fees pursuant to ch. NR 680, Wisconsin Administrative Code, are required after each phase of the construction activity is completed.



## Cover Letter FPOR Determination - EOG - April 19, 1995

Attached are two hazardous waste storage license applications. In accordance with the FPOR and discussions we have had, the anticipated license issuance and modification determination issuance will be done in steps. The steps in their anticipated order are as follows:

1. a license for hazardous waste (not including ignitable hazardous) container storage in the existing building;
2. a modification of the container storage license for revisions to the container storage area in the existing building to allow for storage of ignitable hazardous waste,

(The department will issue at the same time the public notice for intent to issue a license to item #1 and the modification determination for item #2.)

3. a license for hazardous waste tank storage in the lab pack building,
4. a modification of the container storage license to include container storage in the lab pack building along with a modification of the container storage in the existing building to address the lab packing operations being moved to the lab pack building and the change in the layout and capacity in the existing container storage building,
5. a modification of the container storage license for roll-off container storage,
6. a modification of the tank license for tank storage in the tank farm, and

(The department will issue at the same time the public notice for intent to issue a license to item #3 and the modification determinations for items #4, #5 and #6.)

7. a modification of the container storage license for the expansion of the existing building to allow for an increase in container storage capacity.

The department understands that the order of construction completion of the above activities may change and may affect the order of the tank storage license application and the tank and container storage license modifications.

The department's intent to issue container and tank hazardous waste storage licenses and the modification determinations is conditional on EOG following the FPOR and the FPOR determination during the applicable phase of construction.. After each phase of construction has been completed, the department will perform an inspection of the site and review the applicable construction documentation information. Issuance of a license or modification determination will follow a favorable construction documentation determination.





**Cover Letter FPOR Determination - EOG - April 19, 1995**

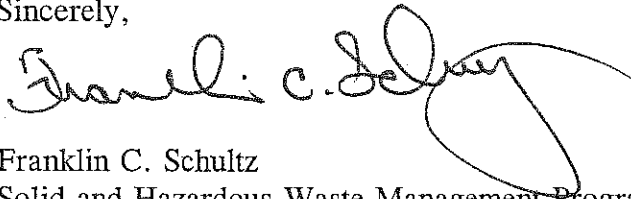
Because of the inherent time delay in constructing a facility in phases, the department may request EOG to submit a revised FPOR submittal or additional information. The department would request a revised FPOR submittal or additional information if in the time between the issuance of the FPOR determination and a phase of the facility construction:

1. the FPOR becomes outdated,
2. new regulations are incorporated by the department, or
3. situations arise where action is necessary to ensure protection of human health and the environment.

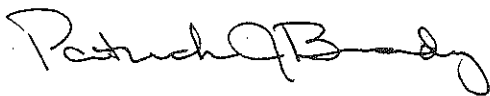
If a phase of construction has not been started within 2 years of the date of the determination, EOG will need to submit a letter to the department inquiring whether or not the FPOR and FPOR determination are still appropriate or need to be revised. EOG will need to obtain a favorable determination from the department before beginning that phase of construction.

Should you have any questions regarding this final determination, please contact Patrick Brady at (414) 229-0845.

Sincerely,



Franklin C. Schultz  
Solid and Hazardous Waste Management Program Supervisor  
Southeast District



Patrick J. Brady  
Waste Management Engineer

- c. SED Casefile (W. Ebersohl, P. Brady)  
Bureau - SW/3 - HWMS (E. Lynch)  
U.S. EPA Region 5 - HRM-7J (Jean Gromnecki)



**BEFORE THE STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES**

**DETERMINATION  
FEASIBILITY AND PLAN OF OPERATION REPORT**

**EOG DISPOSAL, INC.  
EPA ID#: WID988580056  
FID#: 241384000**

**GENERAL FACILITY INFORMATION**

**Facility Name, Site Operator, and Address:**

EOG Disposal, Inc.  
Michael Vilione, President  
5611 West Hemlock Street  
Milwaukee, Wisconsin 53223

**Facility Owner:**

Michael Vilione, General Partner  
or  
VK Investments  
(address same as above)  
and  
Megal Development Corporation  
P.O. Box 18661  
Milwaukee, WI 53218, or  
12650 West Lisbon Road  
Brookfield, WI 53005

**Facility Location:**

SW 1/4 of Section 14, Township 8 North, Range 21 East  
City of Milwaukee, Milwaukee County, Wisconsin



## EOG FPOR Determination - 4/19/96

### Facility Contacts:

Michael Vilione, President  
Henry Krier, Vice President of Operations  
Kandylee Schmidt, Compliance Officer  
(address same as above)  
phone (414) 353-1156

### Consultants:

#### RMT, Inc.

Douglas A. Wierman, C.P.G., Project Manager  
Timothy H. Danzer, C.H.M.M., Project Environmental Scientist  
999 Plaza Drive Suite 100  
Schaumburg, IL 60173-5407  
(708) 995-1500

John A. Cimermancic  
20900 Swenson Drive  
Milwaukee, WI 53186-4050  
(414) 798-9550  
WI Professional Engineer No. E-19697

#### Graef, Anhalt, Schloemer, and Associates, Inc.

Wayne Fassbender  
R. Schumacher  
345 North 95th Street  
Milwaukee, WI 53226  
(414) 256-4060

#### Engineering and Environmental Services

Ronald T. Bannister  
P.O. Box 3009  
Hickory, NC 28603  
(704) 328-2991



**Total Storage Capacity:** (Since the storage facility will be built and licensed in phases, storage capacity is dependent on the units obtaining licensing for that capacity)

**Tank Storage Capacity:**

Tanks in Lab Pack Building - Two 5,500 gallon tanks in the proposed lab pack building, (one tank is designated for acid wastes and the other is designated for basic wastes, layout is shown on sheet 11 of 18 in attachment 15 of the FPOR)

Tanks in Tank Farm - Four 12,000 gallon tanks in the proposed tank farm, (layout is shown on sheet 12 of 18 in attachment 15 of the FPOR)

**Container Storage Capacity:** (Maximum total capacity of 1269 fifty-five gallon containers and 7 twenty cubic yard roll-off containers)

Containers in Existing Building (after Phase 1 licensing) - 468 fifty-five gallon hazardous waste (excluding ignitables) containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on Figure 1 in attachment 18 of the FPOR)

Containers in Existing Building (after Phase 2 licensing) - 720 fifty-five gallon hazardous waste (including ignitables) containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on Figure 1 in attachment 18 of the FPOR)

Containers in Existing Building (after Phase 4 licensing) - 720 fifty-five gallon hazardous waste containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Containers in Addition to Existing Building - 404 fifty-five gallon non-ignitable hazardous waste containers in the planned addition to the existing warehouse building, (area is shared with solid waste containers, set layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Containers in Lab Pack Building - 145 fifty-five gallon hazardous waste containers in five designated bays in the Lab Pack building, (the bays are designated for acid, basic, flammable, reactive, and oxidizer wastes and are each limited to 29 fifty-five gallon containers, layout is shown on sheet 11 of 18 in attachment 15 of the FPOR)





## EOG FPOR Determination - 4/19/96

Lugger Boxes in Lugger Box Storage Building - 6 twenty cubic yard containers in building north of the lab pack building, (layout is shown on sheet 3 of 3 in attachment 15 of the FPOR)

Lugger Box in Existing Building - 1 twenty cubic yard container in the existing warehouse building, (layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

### Approval Limitations:

1. This approval does not extend to the storage of unknown or miscellaneous hazardous wastes. This approval is specifically for storage of wastes identified in your most recent PART A Application (February 15, 1995) and to wastes specifically identified in your Feasibility and Plan of Operation Report (FPOR). Wastes with similar characteristics or of a similar nature (ie. listed for a similar reason or similar toxicological properties) can be stored at the facility by receiving written approval from the department following a plan modification request.
2. EOG may store hazardous waste only in accordance with the requirements of chs. NR 600 through 685, Wisconsin Administrative Code, the FPOR, and the conditions of their approvals. In cases where there is not agreement amongst the FPOR and conditions of their approval, the conditions of the approval shall take precedence.

### Facility Description: (Including Construction and Licensing Plans)

EOG is an interim licensed hazardous waste storage facility and a solid waste storage and processing facility which provides limited hazardous waste services and solid waste services to generators of solid and hazardous waste. EOG has operated the facility since September 1, 1990. EOG has sale offices in Illinois, Minnesota, Utah and Texas. EOG currently provides services for over 1,300 clients which include a variety of commercial, institutional, governmental, and industrial companies nationwide that do not generate bulk quantities of waste. The primary function of this facility is the bulking and transfer of hazardous and nonhazardous waste in order to gain access to secondary markets which include recycling and fuel blending.

Because some of the materials EOG handled are considered solid waste by the state of Wisconsin, but not considered solid wastes by the federal government, these materials:

1. would not have been affected by the federal implementation of the Toxicity Characteristic (TC) rule,



## EOG FPOR Determination - 4/19/96

2. would only have been become hazardous waste because of the state of Wisconsin's implementation of the TC rule, and
3. would be eligible for an interim hazardous waste storage license from the state even though they did not receive interim status from the federal government.

The state of Wisconsin promulgated the TC rule effective September 1, 1992. On November 11, 1992, which was within three months after the original effective date of the rule that first rendered EOG subject to the requirement to obtain an operating license, EOG submitted an interim license application to the department. For EOG's waste streams to be eligible for an interim license from the state because of the implementation of the TC rule, the waste streams had to satisfy the following parameters:

1. the waste stream was handled by EOG before the promulgation of the state rule, and
2. the material would be considered a solid waste by the state of Wisconsin but would not meet the federal definition of a solid waste, and
3. the waste stream is a hazardous waste only because of the TC waste codes, and would not have been a hazardous waste because of the previous Extraction Procedure (EP) toxicity requirements.

EOG received an interim license for hazardous waste storage on March 15, 1994. As a condition of their interim license EOG was required to submit a FPOR as part of the stepped process in obtaining a hazardous waste operating license. In their FPOR, EOG proposes to eventually obtain a hazardous waste operating license for storage of most types of hazardous waste in:

1. four 12,000 gallon aboveground storage tanks in a new tank farm,
2. two 5,500 gallon aboveground storage tanks in a new lab pack building,
3. seven 20 cubic yard containers with one in the existing warehouse building and the remaining six in a new building just north of the new lab pack building, and
4. 69,795 gallons in fifty-five gallon containers in the existing warehouse building and in a planned addition to the warehouse building and in the lab pack building.

EOG's hazardous waste interim license for storage covers storage of 39,600 gallons in 55-gallon drums for a limited range of hazardous waste types. With the additional items



## EOG FPOR Determination - 4/19/96

proposed in their FPOR, the facility would greatly expand their capability to handle a wide variety of hazardous waste.

In EOG's first phase of construction and licensing, EOG plans to retrofit the existing building for hazardous waste container storage by replacing permeable curbing, installing the surveillance and alarm system, and sealing of all floors. At this time, EOG plans to store all the hazardous wastes that they eventually plan to accept with the exception of ignitable hazardous waste. EOG plans to conduct lab pack re-packaging and drum transfer/storage operations in five separate areas with distinct boundaries. In each area, containers will be stored, depacked and lab packed on containment pallets. The contents of containers in the lab packs will not be combined with any of the containers. Figure 1 of attachment 18 of the FPOR contains a layout of the lab pack storage and repackaging areas. The building is approximately 150 feet by 80 feet. Containers will be unloaded at the loading dock on the west end of the north side of the building. The container storage areas at the facility are designed for storing fifty-five gallon drums, but other sizes of containers will be stored.

In EOG's second phase of construction and licensing, EOG plans to finish the retrofitting of the existing building so that they will be able to store and process ignitable hazardous wastes. The retrofitting includes installation of an automatic aqueous film forming foam fire suppression system, construction of fire walls and explosion proofing of all electrical systems. The layout of hazardous waste storage and repacking will be the same as in the first phase.

The third phase of construction will be site preparation in anticipation of construction and operation of the new areas of the proposed facility. A layout of the expanded facility is shown on sheet 2 of 18 in Attachment 15 of the FPOR. Expansion of the facility includes construction of a lab pack and repackaging building, a bulk solids storage building, a tank farm, and associated loading and unloading pads, traffic areas, and other associated facilities.

In EOG's fourth phase of the construction and licensing, EOG will build a lab pack depack building. This building will be 104 feet by 60 feet and provide container storage for 145 containers in designated pods for acidic, basic, flammable, reactive and oxidizer wastes. These individual pods are capable of holding a maximum of 29 containers each in a set layout. The storage pods are 20 feet by 13 feet and provide for adequate containment. The building will also contain 5 lab pack bays each 10 feet by 12 feet. In the lab pack bays, lab pack quantities of waste are repacked into larger quantities for bulking to tanks contained within the lab pack building, or transferred to the process building for processing into fuels, and prepared for ultimate shipment for disposal or recycling. The building will also have bulk storage of waste acid and waste caustic in two designated 5,500 gallon tanks. Each of the tanks is located in a 15 foot by 15.5 foot room which should provide for adequate



## EOG FPOR Determination - 4/19/96

containment. The building includes a loading dock. A layout of this building is shown on sheet 11 of 18 in attachment 15 of the FPOR.

Once the hazardous waste storage licensing of the lab pack depack building is completed, EOG will move the lab pack operations from the existing building to the lab pack depack building. With this change, the existing warehouse building hazardous waste storage license will be modified to allow for additional container storage. Container storage in the existing building will then allow for storage of up to 644 hazardous waste containers and 1288 non-hazardous waste containers. However, because of setback requirements for ignitable materials, this area will be restricted to a maximum of 404 ignitable hazardous waste containers and 808 ignitable non-hazardous waste containers. The modified allowable layout of containers in the storage area is shown on sheet 10 of 18 in attachment 15 of the FPOR. The existing building shall provide for adequate secondary containment even with the additional container storage.

The fifth phase of the construction and licensing process is the addition of a tank farm and a roll-off container storage building. The timing of the fourth and fifth phase of construction and licensing could be reversed.

The tank farm is for four 12,000 gallon storage tanks. The roofed area is 40 square foot with a sealed concrete storage pad and should provide for adequate containment. A tanker unloading pad will be constructed next to the tank farm. A layout of the tank farm is shown on sheet 12 of 18 in attachment 15 of the FPOR.

The roll-off container storage building is for storage of 6 twenty cubic yard containers. The building is three-sided with a roof. The concrete floor is approximately 68 feet by 25 feet and should provide adequate containment capacity. A layout of the building is shown on sheet 3 of 3 in attachment 15 of the FPOR.

Also located in the existing warehouse building will be a container processing area. As a container approaches the drum auger operation, a decision is made on the eventual disposition of the contents of the container. Solids unsuitable for fuel blending will be dumped into a 20 cubic yard container. As the 20 cubic yard containers are filled, they will be taken to the roll-off box storage building located just north of the lab pack building. These areas account for all 7 of the roll-off boxes. Solids and liquids suitable for fuel blending will be conveyed to a 2,000 gallon tank for blending. Process vapors will be condensed to collect volatile solvents. This tank and associated pumps and piping is considered to be part of EOG's fuel blending activities and will be regulated under the hazardous waste management recycling exemption under s. NR 625(1)(b), and s. NR 625.07, Wisconsin Administrative Code.





## **EOG FPOR Determination - 4/19/96**

For the sixth phase, EOG will be seeking a license modification for an expansion of the existing warehouse building to provide for additional storage of up to 492 hazardous waste containers and 984 non-hazardous waste containers. Storage in this addition would be limited to non-ignitable waste. The expansion will add 40 feet by 150 feet of additional space. The building should provide for adequate secondary containment for the container storage.

Hazardous wastes that can be stored on site will include the following waste codes: Characteristic hazardous wastes, D001 to D043; Listed solvent wastes, F001 to F005; Electroplating and metal heat treating wastes, F006 to F012; Hazardous wastes from non specific sources, F019 to F028, F032, F034, F035, F037 to F039; Hazardous waste from specific sources, K001 to K011, K013 to K052, K060 to K062, K064 to K066, K069, K071, K073, K083 to K088, K090 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151; Acute hazardous wastes, P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P111 to P116, P118 to P123; Commercial chemical products and manufacturing chemical intermediates, U001 to U012, U014 to U039, U041 to U053, U055 to U064, U066 to U103, U105 to U174, U176 to U194, U196, U197, U200 to U223, U225 to U228, U230 to U240, U242 to U244, U246 to U249, U328, U353, U359. Hazardous wastes will only be received and stored in DOT shippable containers. Hazardous wastes will typically be contained in 55 gallon drums.

EOG plans to complete the construction of the facility within 12 to 36 months.

### **Closure:**

The expected life span of the facility is fifty years, so the anticipated closure date for the facility would be 2045. The FPOR includes a detailed closure plan and closure cost estimates. The closure plan covers the container storage areas (including the two areas where 20 cubic yard containers are stored), the tank storage areas, and any tools and associated equipment. The plan includes the removal of the maximum allowable quantity of hazardous waste that can be maintained in the storage units, and decontamination of all surfaces and equipment that may have been in contact with the hazardous waste.

### **Financial Responsibility:**

The total closure cost of the facility is estimated to be \$200,376.00. EOG shall maintain financial responsibility. EOG shall make sure that the proof of financial responsibility for closure is updated as additional units are incorporated into the tank and container hazardous waste storage licenses.



## EOG FPOR Determination - 4/19/96

The facility shall maintain a pollution liability insurance policy for sudden environmental releases of \$1,000,000 per occurrence and \$2,000,000 annual aggregate.

### FINDINGS OF FACT

The Department finds that:

1. EOG owns and operates a hazardous waste storage facility at 5611 West Hemlock Street, Milwaukee. A notification form was submitted on February 22, 1991, and EOG was identified as a large quantity generator; a treater, storer, disposer; and a hazardous waste fuel generator who is marketing to a burner. A Part A application was submitted on July 18, 1991. Revised Part A applications have been submitted on December 1, 1992, February 24, 1993, and February 15, 1995.
2. The state of Wisconsin promulgated the TCLP rule effective September 1, 1992. On November 11, 1992, EOG submitted an interim license application to the Department. The application included a revised Part A application which included treatment in a 50,000 gallon tank for waste fuel blending. On March 4, 1993, EOG resubmitted their application for an interim license to store hazardous waste. The application included a revised PART A application which covered storage in drums only.
3. On March 15, 1994, the Department issued an interim hazardous waste storage license to EOG. A condition of the license determination was that EOG submit to the department a feasibility and plan of operation report for obtaining a final operating license within 180 days of receiving their interim license.
4. EOG submitted a feasibility and plan of operation report to the department in September of 1994. A plan review fee of \$6,500 for review of the report was submitted on September 22, 1995.
5. The department issued a notice of incompleteness on the report on December 9, 1994.
6. In response to the notice of incompleteness, EOG submitted additional information on February 27, and April 21, 1995.
7. Additional information submitted in connection with the feasibility and plan of operation report includes the following:
  - a. "Application for a New Source Non-Part 70 Construction and Operating Permit, December 1994", received by the department on February 28, 1995.



## EOG FPOR Determination - 4/19/96

- b. "Recycling Exemption Application, July 3, 1995", for a hazardous waste recycling exemption from the hazardous waste treatment requirements, received by the department on July 3, 1995.
8. A preliminary determination to conditionally approve the FPOR was issued by the department on October 11, 1995. A public notice was issued and a radio announcement was made on October 11, 1995, regarding the issuance of the preliminary FPOR determination.
9. On November 10, 1995, EOG submitted to the department additional information which had been requested in the preliminary FPOR determination.
10. On February 22, 1996, EOG sent a submittal which requested changes be made to the FPOR with regards to phased construction and licensing.

### CONCLUSIONS OF LAW

1. The department has promulgated chs. NR 600 through 685, Wisconsin Administrative Code, establishing minimum requirements for hazardous waste management under the authority of ss. 144.60 and 144.74, Wisconsin Stats.
2. The department has the authority to conditionally approve a feasibility and plan of operation report if the conditions are necessary to comply with chs. NR 600 through 685, Wisconsin Administrative Code, pursuant to s. 144.44(3), Wisconsin Statutes
3. The conditions of approval set forth below are necessary to ensure compliance with chs. NR 600 through 685, Wisconsin Administrative Code.
4. The department has promulgated ch. NR 103, Wisconsin Administrative Code, to preserve and protect the water quality of wetlands.

### DETERMINATION

In accordance with s. 144.44(2)(nr), Statutes, the department has determined there is a need for the facility to store hazardous waste as approved. The department has further determined that there is no need for an environmental impact report or environmental impact statement for this facility at this time, pursuant to s. 1.11, Statutes, and ch. NR 150, Wisconsin Administrative Code, and that the existing and proposed facilities conform with wetlands' water quality standards pursuant to ch. NR 103, Wisconsin Administrative Code.



## EOG FPOR Determination - 4/19/96

Based on the Findings of Fact and Conclusions of Law, the department determines that EOG's hazardous waste storage facility feasibility and plan of operation report is hereby approved subject to compliance with chs. NR 600 through NR 685, Wisconsin Administrative Code, and the following conditions:

### CONDITIONS OF ISSUANCE

EOG is subject to the following conditions:

#### **General Conditions**

1. EOG shall comply with all conditions of the license, the provisions of ch. 144, Wisconsin Statutes, all applicable requirements of chs. 600 through 685, Wisconsin Administrative Code, any plan approval and modification thereof and any special order and modification thereof issued by the department, except as otherwise authorized by the department under, ss. NR 600.09 or NR 680.50, Wisconsin Administrative Code.
2. It shall not be a defense for EOG in an enforcement action that it would have been necessary to halt or reduce the licensed activity in order to maintain compliance with the conditions of the license.
3. All renewal applications, and all other reports or other information submitted to the department by EOG shall be signed and certified as specified in ch. NR 680, Wisconsin Administrative Code.
4. EOG shall store hazardous waste in waste management units listed on the most recent Part A permit application form submitted to the Department on February 27, 1995.
5. EOG may not treat, store, or dispose of hazardous waste in a modified or expanded portion of the facility, until EOG has received written approval from the department. Changes in the types of hazardous waste handled or in the processes or equipment used to treat, store, or dispose of hazardous wastes are some examples which may constitute a facility expansion or modification. EOG may not treat, store, or dispose of hazardous waste in any newly constructed, modified or expanded portion of the facility, if the department has determined that the construction requires a plan submittal and subsequent approval, until:
  - a. The requirements of s. NR 680.31, Wisconsin Administrative Code, are met;





## EOG FPOR Determination - 4/19/96

- b. EOG has submitted to the department, by certified mail or hand delivery, a construction observation report signed by the licensee and sealed by a registered professional engineer, documenting that the construction is in compliance with the license and any department plan approval; and
  - c. The department has inspected the newly constructed, modified, or expanded portion of the facility and finds it in compliance with the license and any department plan approval; or the department has notified EOG in writing that the inspection requirement under s. NR 680.42(5)(c), Wisconsin Administrative Code, is waived.
- 6. EOG shall at all times maintain in good working order and operate efficiently all facilities and systems of treatment or control and related appurtenances which are installed or used to achieve compliance with the terms and conditions of the license. Proper operation and maintenance includes, but is not limited to, effective performance based on designed facility removals, adequate funding, effective management, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
- 7. EOG shall, upon request of any officer or employee of the department, allow department personnel, at reasonable times and with notice no later than upon arrival, to:
  - a. Enter licensee's premises where a regulated facility or activity is located or conducted or where hazardous waste records are kept;
  - b. Have access to, and copy at reasonable times, records or labels that are being kept;
  - c. Inspect at reasonable times any facility's equipment, including monitoring equipment, or operations regulated under the license; and
  - d. Sample or monitor any substance or parameters at any location where a regulated facility or activity is located or conducted, in compliance with the requirements of s. 144.69, Wisconsin Statutes.
- 8. In the event of noncompliance with the license, EOG shall take all necessary steps to minimize discharges to the environment, and shall take all necessary steps to minimize any adverse impacts on human health or the environment.



## EOG FPOR Determination - 4/19/96

9. EOG shall furnish the information needed to determine whether cause exists to modify, revoke, or to determine compliance with, the license. The licensee shall also furnish, upon request, copies of records required by the license. The department may request EOG to submit a revised FPOR submittal or additional information, if conditions arise that compel the department to take this action.
10. When EOG becomes aware that there was a failure to disclose relevant facts in any reports, plans, or other documents submitted, or that incorrect information was submitted, EOG shall promptly submit such facts or correct information to the department.
11. The license, if issued, does not convey any property rights of any sort, or any exclusive privilege.
12. EOG shall submit required documentation and take any action which is necessary to ensure protection of human health and the environment. The department may require such documentation or action after inspecting the facility or reviewing any submittals, reports, or plans.
13. The EOG license, if issued, may be modified or revoked for the reasons listed in ss. NR 680.07 and NR 680.43, Wisconsin Administrative Code. The submittal of a request by EOG for a license modification or termination, or a notification of planned changes or anticipated noncompliance, does not stay the effectiveness of any licensing condition.
14. EOG shall analyze each waste stream in accordance with the waste analysis procedures set forth in the waste analysis plan.
15. EOG shall comply with the following:
  - a. Identification number requirements in s. NR 630.11, Wisconsin Administrative Code;
  - b. General waste analysis requirements in s. NR 630.12, Wisconsin Administrative Code;
  - c. Waste analysis requirements in ss. NR 630.13(1), 640.06(3), 645.06(3)(c), and 645.15, Wisconsin Administrative Code;
  - d. Generation and removal requirements in s. NR 630.20(4), Wisconsin Administrative Code;



## EOG FPOR Determination - 4/19/96

- e. Closure of noncomplying portions requirements in s. NR 630.20(5), Wisconsin Administrative Code;
  - f. Security requirements in s. NR 630.14, Wisconsin Administrative Code;
  - g. Contingency plan and emergency procedures requirements in ss. NR 630.21 and 630.22, Wisconsin Administrative Code;
  - h. Personnel training requirements in s. NR 630.16, Wisconsin Administrative Code;
  - i. Manifest, recordkeeping, and reporting requirements in s. NR 630.30, 630.31, and 630.40, Wisconsin Administrative Code;
  - j. General inspection requirements in ss. NR 630.15, 640.12 and 645.11, Wisconsin Administrative Code;
  - k. General storage standards in ss. NR 645.06, 645.07, 645.08, 645.09, 645.10, 645.12, and 645.17, Wisconsin Administrative Code;
  - l. Requirements for ignitable, reactive, or incompatible wastes in ss. NR 640.14, 640.15, 645.06(3), 645.13, and 645.14, Wisconsin Administrative Code.
16. EOG shall comply with the closure requirements in ss. NR 640.16, NR 645.17 and NR 670.10, Wisconsin Administrative Code.
17. EOG shall maintain proof of financial responsibility for closure and liability coverage pursuant to ss. NR 685.07 and 685.08, Wisconsin Administrative Code. (EOG shall make sure that the proof of financial responsibility for closure is updated as additional units are incorporated into the tank and container hazardous waste storage licenses.)
18. EOG shall comply with all applicable Air Management rules (e.g., Chapter NR 445, Wisconsin Administrative Code) and directives, including, but not limited to, obtaining all necessary permits to operate in accordance with these regulations.
19. EOG shall comply with air emission standards for process vents, ch. NR 631, Wisconsin Administrative Code, and equipment leaks, ch. NR 632, Wisconsin Administrative Code. The department will not issue a license, a license modification, or a recycling exemption to EOG for the applicable units, until EOG shows compliance with these requirements.



## EOG FPOR Determination - 4/19/96

### Specific Conditions

20. EOG shall submit to the department within 15 days of the date of this document a new revised table of contents to reflect the changes in the organization of the FPOR presented in the February 6, 1996, memo to Kandylee Schmidt and the cover letter to this determination. The revised table of contents shall be part of the FPOR that is sent out to the local library and U.S. EPA, as required by Condition #22.
21. Whenever any additions, revisions and/or modifications are submitted regarding the FPOR, EOG shall submit the documents under the certification of a state of Wisconsin P.E., as required by s. NR 680.05(1)(a)1., Wisconsin Administrative Code. EOG shall also have each page marked with a page number and the date of the submittal, and provide an explanation as to how the document is to be incorporated into the FPOR.
22. EOG shall send a copy of the complete FPOR to each affected municipality's local library and U.S. EPA within 15 days of this determination's issuance. The EPA copy shall be mailed to Ms. Harriet Croak, U.S. EPA Region 5, 5HRP-8J, 77 West Jackson, Chicago, Illinois 60604. EOG shall submit to the department verification that copies were sent within 15 days.
23. EOG shall construct the proposed facility in accordance with the approved FPOR and this conditional approval.
24. EOG shall not operate the proposed tank and container storage unit until the department has approved the required construction documentation for the unit required and all conditions of approval applicable to the unit are met.
25. During the construction of the facility, EOG shall submit a quarterly report to the department to update the department on construction at the facility. EOG shall submit this report starting on May 1, 1996 and continuing every third month until construction at the site is completed.
26. EOG shall notify the Department at least 30 days prior to initiating a phase of construction at the site. If any of the phases of construction have not been started within 2 years of the date of this determination, EOG shall submit a letter to the department inquiring whether or not the FPOR and FPOR determination are still appropriate or need to be revised. EOG shall not begin that phase of construction until they receive a favorable determination from the department.





## EOG FPOR Determination - 4/19/96

27. EOG shall submit a signed final operating license application for the initial hazardous waste container storage in the existing building within 30 days of the date of this determination, and for the initial hazardous waste tank storage operating license for the tank farm or the lab pack building tanks (whichever is completed first), within the 90 days prior to the completion of construction of the unit. EOG shall submit these license applications in accordance with s. NR 680.31, Wisconsin Administrative Code. The following items shall accompany application submittals:
  - a. liability financial responsibility documentation,
  - b. closure cost financial responsibility documentation for each phase, and
  - c. the appropriate fee for a hazardous waste storage facility license. Refer to s. NR 680.45, Table 12, Fee Schedule, Wisconsin Administrative Code.

EOG shall submit license modification requests for each of the following: container storage for ignitables in the existing building; the lab pack depack building container storage; container storage in the existing building when lab pack operations are moved to the lab pack depack building, the tank farm or the lab pack depack building tanks (whichever is completed last), and the roll-off container storage areas; and container storage in the addition to the existing building. These modification requests shall be submitted within the 90 days prior to the completion of construction of the unit or units.

28. EOG shall submit to the department a construction documentation report within 30 days of completion of each phase of construction, and shall have an independent professional engineer, registered in the State of Wisconsin, document construction of the phase and certify whether construction of the phase occurred in substantial conformance with the FPOR, and in accordance with s. NR 680.08, Wisconsin Administrative Code.
29. For each phase of construction, EOG shall notify the department of any significant changes from the proposed construction. For each phase of construction, EOG shall provide as-built drawings if there are any discrepancies between the proposed construction and the actual construction.
30. The Department has authority to conduct construction inspection(s) under ss. NR 680.09(2), Wisconsin Administrative Code, for construction at the site. EOG shall pay the department construction inspection fees in accordance with s. NR 680.09(3)(b), Wisconsin Administrative Code, with each phase of construction documentation submitted to the department.



## EOG FPOR Determination - 4/19/96

31. These licenses are subject to annual license operating fees listed in Table XII, s. NR 680.45, Wisconsin Administrative Code, for container and tank storage. EOG shall maintain compliance with the annual licensing fees.
32. For any additional activity that the facility adds to their hazardous waste handling operation, EOG shall inform the department before such an operation begins to allow the department to determine whether the activity would be regulated.
33. Within 24 hours of the hazardous waste arriving at the EOG facility, EOG shall process or move into a container or tank storage area all hazardous waste received from off-site.
34. EOG shall not store trucks or tankers carrying hazardous waste on the public road adjacent to their property.
35. EOG shall indicate on the hazardous waste manifest, prepared for sending waste off their site, all waste codes applicable to the hazardous waste prior to the commingling, recontainerization, or bulking of hazardous waste on-site.
36. All secondary containment systems shall be operated to prevent any migration of wastes or accumulated liquid out of the system into the soil, groundwater or surface water at any time, pursuant to ss. NR 640.13 and NR 645.09, Wisconsin Administrative Code. The secondary containment systems shall be capable of detecting and collecting releases and accumulated liquids until the collected material is removed.
37. All secondary containment structures shall be maintained to be liquid tight and free of cracks and gaps. Surface water run-on and run-off shall be prevented and managed pursuant to s. NR 630.20(3), Wisconsin Administrative Code.
38. All uncontained wastes and accumulated liquids (e.g., precipitation, wash waters) located within any secondary containment diking shall be cleared from the diked area daily and managed as a hazardous or solid waste as appropriate in accordance with chs. NR 600 to 685, or chs. NR 500 through 590, Wisconsin Administrative Code, and the FPOR.
39. Since the containment area for containers and the blending tank in the original building will not strictly be used for storage and containment, EOG shall not store other materials, excluding the drum auger operation and associated equipment, in this area that are incompatible with the waste streams or that will significantly affect the containment capacity.



## EOG FPOR Determination - 4/19/96

40. EOG shall replace any permeable curbing in the existing building with concrete curbing.
41. All concrete surfaced secondary containment structures shall be sealed with a chemically resistant material (e.g., epoxy mastic sealant).
42. Containers holding a hazardous waste which is incompatible with any other waste or other materials stored nearby shall be kept separate from the other wastes or materials or protected from them by means of a dike, berm, wall, or other device. s. NR 640.15, Wisconsin Administrative Code
43. Spills reporting: EOG shall immediately report all spills and discharges of hazardous waste outside of hazardous waste storage secondary containment structures and all spills of 10 gallons or greater of hazardous waste inside of the designed hazardous waste secondary containment structures at its facility, and implement any necessary action in accordance with the requirements of ch. NR 158 and s. NR 630.22(2)(c), Wisconsin Administrative code. Releases of hazardous waste or other hazardous substances in volumes of less than 10 gallons within the secondary containment structure of a designated hazardous waste storage area shall be recorded and reported to the Department on a quarterly basis. This report shall include the type and quantity of waste spilled, the location of the release, the source of the release, what actions were taken to cleanup the release and what actions will be taken to prevent a release from recurring. If no spills or discharges occur, then EOG shall send a letter to the department stating there has been none.
44. Response to leaks or spills. In the event of a leak or a spill from a tank, or if a tank or processing equipment becomes unfit for continued use, EOG shall remove the equipment from service immediately and complete the following actions:
  - a. Take appropriate action to clean-up any release of waste immediately after removing the equipment from service.
  - b. Remove all waste from the equipment or secondary containment unit within 24 hours of the detection of the leak or spill to prevent further releases and to allow inspection and repair of the unit.
  - c. Determine cause of the release.
  - d. Make all necessary repairs to fully restore the integrity of the unit before returning it to service.



## EOG FPOR Determination - 4/19/96

- e. All wastes resulting from the clean-up of a spill or leak shall be managed as a hazardous waste.
  - f. EOG shall report the spill or leak to the Department's Southeast District Headquarters within 24 hours of its discovery.
45. EOG shall notify the Division of Emergency Government and comply with the requirements of s. NR 630.22(2) and ch. NR 158, Wisconsin Administrative Code and 144.76, Wisconsin Statutes, if a discharge of hazardous waste or hazardous substance, or a fire or explosion occurs at the licensed facility.
46. EOG shall report to the Department any noncompliance which may endanger human health or the environment. The information which is required to be included in a written report under this paragraph shall be provided orally to the appropriate district office of the Department within 24 hours from the time EOG becomes aware of the circumstances. A written report shall be submitted within 5 days of the time EOG becomes aware of the circumstances. The Department may allow up to 15 days to submit a written report if an extension is requested by the licensee. The written report shall contain:
- a. Name, address, and telephone number of the owner or operator.
  - b. Name, address, and telephone number of the facility.
  - c. A description of the noncompliance and the period of noncompliance, including exact date and time, and if the noncompliance has not been corrected, the anticipated time the noncompliance is expected to continue.
  - d. Name and quantity of material involved.
  - e. The extent of injuries, if any.
  - f. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable, including information concerning the release of any substance which may cause contamination of a drinking water supply.
  - g. Estimated quantity and disposition of recovered material that resulted from the incident.





## EOG FPOR Determination - 4/19/96

- h. The known or suspected causes of the noncompliance and statement describing the measures taken to investigate the noncompliance to determine its cause.
  - i. Steps taken or planned, to reduce or eliminate and prevent reoccurrence of the noncompliance.
47. Waste minimization: EOG shall certify annually (by February 1 of each year) that it has a program in place to reduce the volume and toxicity of hazardous waste it generates to the degree determined by EOG to be economically practicable, and that the proposed method of treatment, storage or disposal is that practicable method currently available to EOG which minimizes the present and future threat to human health and the environment.

### Specific Conditions - Waste Analysis

48. EOG shall monitor and analyze the hazardous waste transported to the storage units in accordance with the methods and procedures described in the waste analysis plan in the FPOR, as revised with the November 10, 1996, and February 22, 1996, submittals. The waste analysis plan includes waste pre-acceptance and incoming loads procedures, post-treatment evaluation analyses protocol, inspection and sampling methodology, analytical techniques, process operations, and quality assurance/quality control (QA/QC) program elements.
49. Before receiving waste on site, EOG shall have obtained a completed waste identification form for each waste stream of each generator. The waste identification form will at a minimum contain; waste description, general characteristics, RCRA information, viscosity, total suspended solids, pH, BTU's, flash point, halogens hazardous characteristics and other components, chemical composition and metals information.
50. EOG shall sample all incoming waste streams. EOG shall sample a minimum of ten percent of the containers of each generator's incoming waste stream. EOG will sample the incoming container wastes for compatibility, BTU's per pound, chloride, water, specific gravity and pH. EOG shall take a composite sample of each incoming bulk solid load and a sample of each incoming bulk liquid load for BTU's per pound, chloride, water, specific gravity and pH. EOG shall make a comparison against the prequalification and/or historical receipts of the waste to ensure that there is no significant discrepancies between the load and what is expected. EOG shall have the samples from incoming waste streams analyzed by a laboratory certified or registered by the state of Wisconsin for physical description, BTU's per pound, chloride, water,



## EOG FPOR Determination - 4/19/96

specific gravity and pH for the methodologies described in the waste characterization section of the waste analysis plan in the FPOR, or an equivalent technique.

51. EOG shall follow the waste acceptance and rejection procedures and sampling procedures outlined in their waste analysis plan in the FPOR.
52. Before combining the contents of any containers, EOG shall perform a compatibility test on the wastes to be combined.
53. Before EOG combines the contents of the containers within the lab pack containers, EOG shall perform a compatibility test of the contents to be combined.
54. Prior to blending or storage, the compatibility of the waste streams to be commingled shall be evaluated by a direct mixture of samples of the two (or more) waste streams. If there is reason to believe that the waste to be blended is incompatible with the most recently blended waste and the equipment has not been decontaminated, a compatibility test will be conducted on samples of the waste, and the previously blended waste.
55. EOG shall sign off on manifests of wastes received onsite within 24 hours of receipt of the wastes.

### Specific Conditions - Tanks

56. EOG shall not place hazardous wastes in a tank if the wastes could cause the tank, its ancillary equipment, or the containment structure to rupture, leak, corrode, or otherwise fail.
57. EOG shall inspect the following components of each tank once each operating day;
  - a. Overfill control equipment (e.g., waste feed cut-off).
  - b. The area immediately surrounding the tank, to detect erosion or signs of releases of hazardous waste.
58. EOG shall provide a tank integrity assessment report prepared in conformity with s. NR 645.07(1), Wisconsin Administrative Code, to detect corrosion or erosion, cracks, or leaks of all hazardous waste tanks and shall submit a report to the Department by April 1 each year.



## **EOG FPOR Determination - 4/19/96**

59. EOG shall meet the requirements for a secondary containment system in s. NR 645.09, Wisconsin Administrative Code, including but not limited to a leak detection system that is designed and operated to detect the failure of the hazardous waste storage tanks or the secondary containment structure pursuant to s. NR 645.09(5)(c), Wisconsin Administrative Code.
60. EOG shall not place incompatible, ignitable, or reactive wastes and materials in a tank, unless the procedures specified in ss. NR 630.17(2) and 645.13(1), Wisconsin Administrative Code, are followed.
61. EOG shall not place hazardous waste in the tank when a tank has not been decontaminated and had previously held an incompatible waste or material, unless the requirements of s. NR 645.14, Wisconsin Administrative Code, are met.

### **Specific Conditions - Containers**

62. EOG shall comply with the storage requirements of ch. NR 640, Wisconsin Administrative Code.
63. All hazardous waste storage shall be confined to the designated storage areas.
64. Adequate aisle space in the container storage areas must be maintained to allow unobstructed movement of personnel, fire protection equipment and decontamination equipment in event of an emergency.
65. Hazardous waste shall be stored only in containers in accordance with the FPOR, with respect to what the facility's license allows at that phase of construction.
66. All containers used for storing hazardous waste shall be inspected at least weekly for evidence of leakage, corrosion, or deterioration of the containers or the secondary containment structures. Sufficient aisle space must be maintained to view all containers and their labels.
67. Any spilled, leaked, or discharged hazardous waste shall be expeditiously removed from the collection area so as to prevent overflow of the secondary containment system or prolonged exposure of the containment system or the containers to the hazardous waste.
68. The identity and location of all stored hazardous waste shall be known throughout the entire storage period.



## EOG FPOR Determination - 4/19/96

69. Waste shall be stored in containers in such a manner that no discharge of hazardous waste occurs.
70. Incompatible wastes or materials shall not be placed in the same container, including unwashed containers, unless they comply with s. NR 630.17(2), Wisconsin Administrative Code.
71. Containers holding hazardous waste shall always be closed during storage, except when adding or removing wastes. Containers holding hazardous waste shall not be opened, handled, or stored in a manner which causes the container to rupture or leak.
72. Containers holding ignitable waste shall not be stored until EOG has a license to store containers of ignitable waste, and then the containers storing ignitable waste shall be located at a minimum of 50 feet from the facility's property line.
73. Storage containers holding a hazardous waste which is incompatible with any waste or other materials stored nearby in other containers, waste piles, open tanks or surface impoundments shall be separated from other wastes or materials or protected from them by means of a dike, berm, wall or other device.
74. If a container is not in good condition or if the contents of a storage container begin to leak, the hazardous waste in the container shall be recontainerized into a storage container in good condition.
75. The containers shall be made or lined with materials which will not react with, or are otherwise incompatible with, the hazardous waste to be stored so that the ability of the container to contain the waste is not impaired.
76. After the modifications of the container storage license are approved for container storage in the Lab Pack Depack building and modification of container storage in the existing building, EOG shall store containers in the existing warehouse building in the configuration presented on Sheet 9 of 18, in attachment 15 of the FPOR. When the addition to the existing warehouse building is completed, containers shall be stored in the existing warehouse building and the addition in the configuration presented on Sheet 10 of 18, Attachment 15 of the FPOR. Containers shall be stored in the lab pack building in the configuration presented on Sheet 11 of 18, Attachment 15 of the FPOR.
77. The minimum container storage secondary containment shall be maintained as required by s. NR 640.13, Wisconsin Administrative Code. Materials and objects, other than those that are part of the hazardous waste licenses and recycling exemption, shall not





## EOG FPOR Determination - 4/19/96

be stored in the container storage units secondary containment areas, if their volume will adversely impact the container storage containment capacity.

78. Containers used to store hazardous waste shall be structurally sound, U.S. DOT approved containers.
79. EOG shall store and repack containers whether of 5, 10, 20, 30, or 55 gallon capacity in a safe manner. In any area which is designed for storing 4 fifty-five gallon containers, EOG shall not store more than 5 thirty gallon containers, 6 twenty gallon containers, 9 ten gallon containers, or 12 five gallon containers. For containers of sizes other than those listed here, EOG shall limit storage in a 4 fifty-five gallon container area, to within the range of the above explicit container limits. Also, when storing containers of various sizes in a 4 fifty-five gallon container area, EOG shall limit container storage in the 4 fifty-five gallon container area by taking into consideration the above explicit limits for container size with respect to the area.

### **Specific Conditions - Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building**

80. EOG shall not store any ignitable wastes, until they complete the retrofit of the existing storage building and obtain a container storage license modification to do so.
81. EOG shall store and lab pack hazardous waste containers on spill containment pallets only.
82. EOG shall have placards clearly identifying separate areas for hazard class 9, reactive, corrosive bases, poisons, and corrosive acids.
83. When containers are combined with other containers in the lab packs, the containers shall not be opened. The contents of containers in the lab packs shall not be combined with any of the containers.
84. EOG shall limit hazardous waste container storage to a maximum of 468 fifty-five gallon containers. EOG shall not store or repack containers in excess of the maximums described in Attachment 18 of the FPOR. EOG shall store containers in the configuration presented in Figure 1 of Attachment 18 of the FPOR.
85. If a spill occurs in a containment pallet or in on an area of the containment surface, EOG shall decontaminate the containment pallet or area of the containment surface in accordance with the FPOR before storing another type of waste on the containment pallet or area of the containment surface.



## **EOG FPOR Determination - 4/19/96**

### **Specific Conditions - Lugger Box Container Storage**

86. EOG shall provide adequate containment capacity for the lugger box storage as required by s. NR 640.13, Wisconsin Administrative Code.
87. EOG shall only store hazardous waste in lugger boxes with gaskets around the openings on the sides.
88. EOG shall keep the lugger boxes covered except for when filling.
89. EOG shall provide adequate access to inspect the lugger boxes.
90. EOG shall only store lugger boxes in the arrangements as they are presented in Plan Sheet #3 of 3, as to be revised with adequate aisle space, and Plan Sheet #10 of 18 and Plan Sheet #2 of 3, all in Attachment 15 of the FPOR.

### **Specific Conditions - Fuel Blending Activities**

91. Before EOG begins start up of their hazardous waste fuel blending activities (the fuel blending tank and associated equipment), EOG shall obtain a recycling exemption from the department for the fuel blending activities, under s. NR 625(1)(b), and s. NR 625.07, Wisconsin Administrative Code, or obtain a hazardous waste treatment license specifically for the fuel blending activities.
92. EOG shall remain in compliance with any fuel blending recycling exemption requirements for their facility.

### **NOTICE OF APPEAL RIGHTS**

If you believe you have a right to challenge this decision, you should know that Wisconsin Statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to ss. 227.52 and 227.53, Statutes, you have 30 days after the decision is mailed or otherwise served by the Department to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.




EOG FPOR Determination - 4/19/96

This notice is provided pursuant to s. 227.48(2), Statutes

Dated: 4-19-96

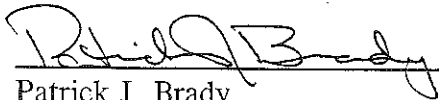
Department of Natural Resources  
For the Secretary



Franklin C. Schultz  
Solid and Hazardous Waste Program Supervisor  
Southeast District

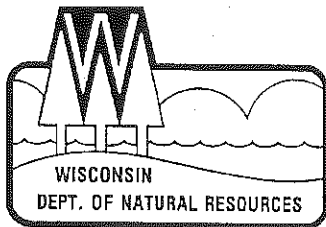


Walter A. Ebersohl  
Hazardous Waste Management Section Supervisor  
Southeast District



Patrick J. Brady  
Waste Management Engineer





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Annex  
4041 N. Richards Street, Box 12436  
Milwaukee, WI 53212-0436  
TELEPHONE 414-229-0800  
FAX 414-229-0810

May 14, 1997

File Ref: FID# 241384000  
HW/LIC

Michael Vilione, President  
EOG Disposal, Inc.  
5611 West Hemlock Street  
Milwaukee, WI 53223

RE: Construction Determination and License Modification Determination  
Second Phase of the Hazardous Waste Management Storage Facility  
EOG Disposal, Inc., 5611 West Hemlock Street, Milwaukee, Wisconsin  
EPA ID# WID988580056

Dear Mr. Vilione:

The department has completed the review of the second phase of construction of the licensed hazardous waste storage facility at EOG Disposal, Inc. (EOG) located at 5611 West Hemlock Street, Milwaukee, Wisconsin. EOG submitted a construction documentation report on April 16, 1997. The department performed a construction documentation inspection at the site on April 10, 1997. Based on review of the construction documentation report and the construction inspection, the department has determined that the second phase of construction of the hazardous waste storage facility at EOG was completed in conformance with the facility's feasibility and plan of operation report (FPOR) and the April 19, 1996, FPOR determination. With this letter, the department is approving a modification to the hazardous waste container storage license which allows EOG to accept ignitable (D001) hazardous waste.

As part of the second phase of construction, EOG has retrofitted the existing storage building by installing an aqueous film forming foam fire suppression system, explosion proofing all electrical systems, and constructing fire walls. With the completion of the second phase of construction, EOG is now outfitted to accept ignitable hazardous waste into their licensed hazardous waste container storage facility.

This license modification must be kept with the feasibility and plan of operation report determination and the operating license.

### LICENSE MODIFICATION DETERMINATION

#### FINDINGS OF FACT

The department finds that:

---

*Quality Natural Resources Management  
Through Excellent Customer Service*







1. EOG owns and operates a hazardous waste storage facility at 5611 West Hemlock Street, Milwaukee. EOG submitted a notification form on February 22, 1991. EOG submitted a Part A application on July 18, 1991. EOG submitted revised Part A applications on December 1, 1992, February 24, 1993, and February 15, 1995.
2. On March 15, 1994, the Department issued an interim hazardous waste storage license to EOG.
3. The department issued a FPOR determination to EOG on April 19, 1996.
4. On May 7, 1996, the department issued a public notice of their intent to issue a hazardous waste management container storage license and a preliminary determination to approve a modification. No public comments were received.
5. On December 16, 1996, the department issued to EOG a hazardous waste management operating license for commercial container storage.
6. The department performed a construction documentation inspection at the site on April 10, 1997. EOG submitted a construction documentation report to the department on April 16, 1997. Based on review of the construction documentation report and the inspection at the site, the department feels that the construction of the second phase of the hazardous waste container storage facility at EOG was completed in conformance with the facility's FPOR and the April 19, 1996, FPOR determination.

#### CONCLUSIONS OF LAW

1. The department has promulgated chs. NR 600 to 685, Wisconsin Administrative Code, establishing minimum requirements for hazardous waste management under the authority of ss. 144.60 to 144.74, Wisconsin Statutes.
2. The department has authority pursuant to s. 144.44(3)(c), Wisconsin Statutes, and s. NR 680.07(1), Wisconsin Administrative Code, to approve a modification to a license or plan of operation.

#### DETERMINATION AND CONDITIONS

Based on the foregoing Findings of Fact and Conclusions of Law, the department hereby approves a modification under s. NR 680.07, Wisconsin Administrative Code, and s. 144.44(3)(c), Wisconsin Statutes, allowing EOG to accept ignitable wastes into the licensed hazardous waste container storage facility in accordance with the license and the FPOR determination and the following condition.



The department retains the right to modify this determination and to require additional information at any time. Nothing in this conditional determination shall relieve EOG of the legal obligation to comply with applicable federal, state and local requirements. Except as may be expressly provided below, no other terms or conditions of the FPOR determination or license, or any subsequent modifications thereto, are affected by this determination.

1. The licensee shall comply with all conditions of the license, the provisions of ch. 144, Wisconsin Statutes, all applicable requirements of chs. NR 680 through 685, Wisconsin Administrative Code, the FPOR determination and this modification, except as otherwise authorized by the department under ss. NR 600.09 and 680.50, Wisconsin Administrative Code.

#### NOTICE OF APPEAL RIGHTS

If you believe you have the right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within requests to review department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wisconsin Statutes, you have 30 days after the decision is mailed, or otherwise served by the department, to file your decision with the appropriate circuit court and serve the petition to the department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent. This notice is provided pursuant to s. 227.48(2), Wisconsin Statutes.

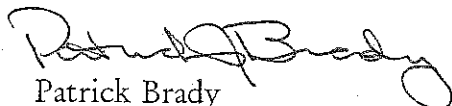
Please contact Patrick Brady at (414) 229-0845 if you have any questions.

WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
FOR THE SECRETARY

Sincerely,



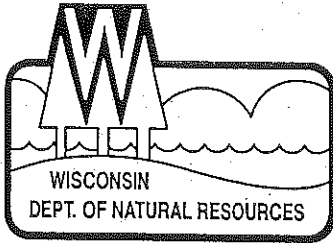
Franklin C. Schultz  
Waste Management Team Supervisor  
Southeast Region



Patrick Brady  
Waste Management Engineer

c: SER Casefile (F. Schultz, S. Miller, P. Brady)  
Bureau-WA/3 U.S. EPA (H. Croke)





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8716  
TTY 414-263-8713

February 9, 2006

Mr. Henry Krier  
Badger Disposal of Wisconsin, Inc.  
5611 W. Hemlock Street  
Milwaukee, WI 53223

File Ref: FID# 241684000  
SW/APP

Subject: Exemption for PCB Storage and Transfer Operations

Dear Mr. Krier:

The Department has received and reviewed the information provided in your December 13, 2005 letter regarding the storage and transfer of PCB wastes. The information was submitted in response to a notice of noncompliance issued by the Department on November 15, 2005. Additional information was provided by Ms. Kandylee Schmit during a December 28, 2005 telephone conversation.

Based on the information provided, the department is issuing a conditional exemption under s. 289.53, Wisconsin Statutes, from the commercial PCB storage and treatment facility feasibility report, plan of operation, licensing and financial responsibility requirements. If you expand or modify your business in other areas which involve the storage and processing of PCBs, a license under s. 289.53, Wisconsin Statutes, may be required.

If you have any questions, please contact Sandy Miller of my staff at 414-263-8675.

Sincerely,

Franklin Schultz  
Waste Management Team Supervisor  
Southeast Region

c: SER File



BEFORE THE STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

CONDITIONAL EXEMPTION FOR THE  
BADGER DISPOSAL OF WISCONSIN, INC.  
PCB STORAGE AND TRANSFER FACILITY

FINDINGS OF FACT

The Department finds that:

1. Badger Disposal of Wisconsin, Inc. operates a PCB storage and transfer operation at their facility located at 5611 W. Hemlock Street in the City of Milwaukee, Milwaukee County, Wisconsin. Operations include the storage and shipment of PCBs, such as ballasts, capacitors, transformers and PCB contaminated wastes. Management of the PCB waste consists of storing the materials in their original containers or bulking the materials into cubic yard boxes before they are shipped off-site.
2. The Department has issued the following current licenses to Badger Disposal of Wisconsin, Inc.: PCB full service contractor transportation license #12685; hazardous waste container storage facility license #6026; solid waste processing facility license #3415; solid waste transfer facility license #3386; and, solid waste transporter license #14579.
3. On November 11, 2005, the management of PCB wastes was discussed during a hazardous waste compliance inspection at Badger Disposal of Wisconsin, Inc.
4. On November 15, 2005, the Department issued a Notice of Noncompliance to Badger Disposal of Wisconsin, Inc. and requested information regarding the management of PCB wastes.
5. In a letter dated December 13, 2005, Badger Disposal of Wisconsin, Inc. supplied information regarding the management of PCB wastes.
6. On December 28, 2005, additional information regarding the PCB storage operations was provided by Ms. Kandylee Schmit, compliance officer for Badger Disposal of Wisconsin, Inc. by telephone.
7. On February 6, 2006, a draft of the conditional exemption was e-mailed to Ms. Schmit.
8. On February 8, 2006, Ms. Schmit stated in an e-mail that no comments would be made on the draft conditional exemption.
9. The conditions set forth below are needed to ensure that the storage and transfer facility will meet the requirements of s. 299.45, Wisconsin Statutes, and ch. NR 157, Wisconsin Administrative Code.





## CONCLUSIONS OF LAW

1. The Department has promulgated ch. NR 157, Wisconsin Administrative Code, establishing minimum standards for management of PCBs and products containing PCBs under the authority of s. 299.45, Wisconsin Statutes.
2. The Department has authority to issue exemptions with special conditions in accordance with s. 289.53, Wisconsin Statutes.
3. Under s. 289.53, Wisconsin Statutes, the Department has authority to grant exemptions from the provisions of s. 289.53, Wisconsin Statutes.
4. In accordance with the foregoing, the Department has authority under 289.53, Wisconsin Statutes, and ch. NR 157, Wisconsin Administrative Code, to issue the following conditional exemption.

## CONDITIONAL GRANT OF EXEMPTION

The Department hereby grants an exemption from the requirements of s. 289.53, Wisconsin Statutes, to Badger Disposal of Wisconsin, Inc. for storing and transferring PCB wastes at the Badger Disposal of Wisconsin, Inc. facility in Milwaukee, Wisconsin, subject to compliance with the provisions of ch. NR 157, Wisconsin Administrative Code and the following conditions:

1. Storage and active management of the PCB waste shall occur within the licensed hazardous waste storage area to assure adequate secondary containment.
2. Badger Disposal shall maintain operating records for the PCB containers stored and transferred on-site. The quantity of PCB waste stored on-site shall count towards the maximum inventory of solid waste which can be stored under the solid waste processing license #3415.
3. Badger Disposal shall maintain adequate aisle space in the storage area so the containers and pallets can be inspected.
4. Inspection records which include the inspection results and any maintenance, cleanup and disposal actions shall be maintained by Badger Disposal.
5. Badger Disposal shall notify the Department before implementing any revisions or changes to their PCB storage and transfer operations.

The Department retains the jurisdiction either to require the submittal of additional information or to modify this conditional exemption at any time, if, in the Department's opinion, further modifications are necessary. Unless specifically noted, the conditions of this exemption do not supersede or replace any previous conditions or approvals for this facility.



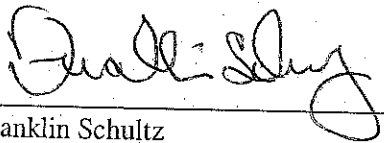
## NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

To seek judicial review of the Department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.

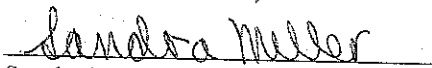
This notice is provided pursuant to s. 227.48(2), Wisconsin Stats.

DEPARTMENT OF NATURAL RESOURCES  
For the Secretary



Franklin Schultz  
Waste Management Team Supervisor  
Southeast Region

02/15/06  
Date



Sandra Miller  
Waste Management Specialist  
Southeast Region

02/15/06  
Date





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Headquarters  
2300 N. Dr. Martin Luther King, Jr. Drive  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8716  
TTY 414-263-8713

August 15, 2006

Mr. Henry Krier  
Badger Disposal of Wisconsin, Inc.  
5611 West Hemlock Street  
Milwaukee, WI 53223

File Ref: FID# 241384000  
HW/APP

Subject: Temporary Authorization Request

Dear Mr. Krier:

On August 23, 1996, the Department issued an approval allowing EOG Disposal, Inc. located at 5611 West Hemlock Street in Milwaukee, Wisconsin to conduct fuel blending operations under a recycling exemption issued under the rules in effect at that time, ch. NR 625, Wisconsin Administrative Code. On January 31, 2003, a change of ownership occurred resulting in a name change from EOG Disposal, Inc., to Badger Disposal of Wisconsin, Inc. On June 14, 2006, the Department issued a letter informing Badger Disposal of Wisconsin, Inc., (Badger Disposal) that new hazardous waste rules, effective August 1, 2006, would subject the fuel blending activities to full hazardous waste regulatory requirements for treatment facilities, including licensing. The Department requested Badger Disposal to submit a temporary authorization request by July 10, 2006 if Badger Disposal intended to continue fuel blending operations. Badger Disposal, Inc. submitted a temporary authorization request and a Class 2 modification request on July 10, 2006. Badger Disposal submitted additional information on July 20, 2006 and July 27, 2006.

The Department has completed its review of the temporary authorization request and is granting a six-month temporary authorization. Badger Disposal, which is currently seeking to relicense its hazardous waste storage facility, submitted a Feasibility and Plan of Operation Report to the Department on March 17, 2006. The Department issued a Notice of Incompleteness on May 16, 2006 which requested a response by July 16, 2006. Badger Disposal was granted an extension allowing it to submit its Notice of Incompleteness response by September 16, 2006. As stated in condition # 4 of the attached determination, the revisions to the Feasibility and Plan of Operation Report should incorporate the fuel blending operations covered by the temporary authorization. The modifications due to the fuel blending activities will be handled through the relicensing process rather than a Class 2 modification request.

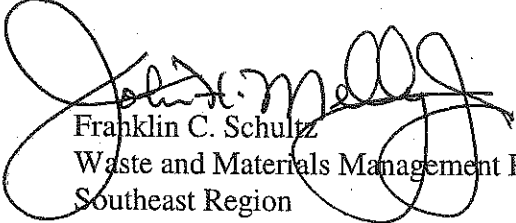
In the interim period after the new rules are in effect and before the Department re-issues a hazardous waste operating license, the temporary authorization will allow Badger Disposal to continue to perform fuel blending operations. This temporary authorization must be kept with



the feasibility and plan of operation report determination, the operating license and all plan modifications for the licensed facility.

Please contact Sandy Miller at (414) 263-8675 if you have any questions.

Sincerely,

 For FS  
Franklin C. Schultz  
Waste and Materials Management Program Supervisor  
Southeast Region

c: Harriet Croke – US EPA Region 5

D. Kollasch - WA/3

SER File





**TEMPORARY AUTHORIZATION  
TO CONDUCT FUEL BLENDING OPERATIONS**

**BADGER DISPOSAL OF WISCONSIN, INC.  
EPA ID# WID 988580056  
FID# 241384000**

**GENERAL FACILITY INFORMATION**

**Facility Name and Address**

Badger Disposal of Wisconsin, Inc.  
5611 West Hemlock Street  
Milwaukee, WI 53223  
(414) 760-9175

**Facility Owner:**

Badger Investment Realty, LLC  
5611 West Hemlock Street  
Milwaukee, WI 53223

**Facility Location:**

SW 1/4 of Section 14, Township 8 North, Range 21 East  
City of Milwaukee, Milwaukee County, Wisconsin

**Facility Contacts:**

Henry Krier, President  
Kandylee Schmit, Compliance Officer  
414-760-9175

**Total Storage and Treatment Capacity:**

Badger Disposal has a hazardous waste facility operating license to store up to 720 55-gallon container-equivalent units in its existing storage building. The Feasibility and Plan of Operation approval issued on April 19, 1996 allows Badger Disposal to construct additional storage units including an addition to the existing building, a lab pack building, a tank farm and a lugger box storage building.

**FACILITY DESCRIPTION**

Badger Disposal operates a licensed hazardous waste and solid waste storage facility within an existing building which consists of an 11,000 square foot licensed storage area and other non-regulated areas, such as a laboratory, reception area and administrative offices. The building is constructed of 12-inch thick outside walls and reinforced concrete floors. Six-inch high, ten-inch



thick concrete berms are constructed where exits from the regulated storage area to non-containment areas exist.

The facility has operated since September 1, 1990 and is located on approximately 3 acres of land. Badger Disposal is immediately surrounded by manufacturing, warehousing and other commercial activities. Badger Disposal serves over 900 clients of commercial, institutional, governmental and industrial companies nationwide that do not generate bulk quantities of waste.

The primary function of Badger Disposal is the bulking and transfer of hazardous and nonhazardous waste for recycling and fuel blending. The majority of the wastes received at Badger Disposal are organic hazardous wastes (F001, F002, F003, F005 and D001) and solid wastes that are shipped off-site to be recycled or burned as a fuel in industrial furnaces. Badger Disposal is also approved to store corrosive, reactive and toxicity characteristic wastes (D002-D043 wastes), listed wastes from non-specific sources (F-listed wastes), listed wastes from specific sources (K-listed wastes) and toxic and acute commercial chemical products and manufacturing chemical intermediates (U- and P- listed wastes). These additional wastes are bulked for off-site metal recovery, neutralization and other waste management methods.

Badger Disposal accepts containers of lab-packed waste into its storage facility. Containers of compatible materials in the lab-packs are not emptied, but are re-packed into larger lab-pack containers before they are shipped to off-site treatment, storage or disposal facilities. Badger Disposal stores gas cylinders in its storage facility until enough have been accumulated for economical shipment to a permitted treatment or disposal facility. Badger Disposal was issued a conditional exemption for the storage and transfer of polychlorinated biphenyls (PCBs) on February 9, 2006. The conditional exemption allows Badger Disposal to store and bulk PCB wastes, such as ballasts, transformers and other PCB containing materials in the hazardous waste storage facility.

To determine if a waste is suitable for fuel blending, a sample of the generator's waste is analyzed for parameters such as viscosity, percent water, total suspended solids, pH, BTU value, flash point and halogen content before the waste is shipped to Badger Disposal. After it is shipped, the waste is again sampled and analyzed to verify that the properties of the waste are conducive to fuel blending. Containers of waste will be staged for pumping inside the bermed warehouse area near Dock 2 located on the southeastern corner of the existing storage building. A 6,000 gallon vacuum truck trailer will be backed over the berm and the contents of the drums are pumped into the trailer inside the storage building. A liquid level control on the trailer indicates when the trailer is full. Before transport, a sample of the material in the trailer is obtained and analyzed for fuel blending quality control purposes. The valves are closed and capped and the trailer is inspected to make sure it is not leaking. A manifest is prepared for the outbound shipment which is transported to approved cement kilns for use as a secondary fuel.



### **FINDINGS OF FACT**

The Wisconsin Department of Natural Resources finds that:

1. On September 1, 1992, the Department adopted the federal toxicity characteristic (TC) rule which added twenty-five hazardous waste codes to s. NR 605.08, Wis. Adm. Code.
2. On March 15, 1994, the Department issued a hazardous waste interim license to EOG Disposal, Inc., located at 5611 West Hemlock Street in Milwaukee, Wisconsin for the storage of materials which became hazardous waste due to the adoption of the TC rule.
3. In September 1994, EOG Disposal submitted a Feasibility and Plan of Operation Report for a hazardous waste operating license.
4. On July 3, 1995, EOG Disposal, Inc., submitted a document titled, "Application for a Written Exemption from Hazardous Waste Treatment Requirements as a Recycling Facility Pursuant to Wisconsin Administrative Code, Chapter NR 625".
5. On April 19, 1996, the Department issued a Feasibility and Plan of Operation Report Determination to EOG Disposal, Inc. Condition # 91 of the FPOR required EOG to either obtain a recycling exemption from the Department or obtain a hazardous waste treatment license before conducting fuel blending activities.
6. On August 23, 1996, the Department issued a document titled, "Conditional Approval for Legitimate Recycling Exemption – Hazardous Waste Burned for Energy Recovery/Fuel Blending and Marketing Activities" in response to the July 3, 1995 submittal.
7. On April 9, 2003, EOG Disposal, Inc., submitted a class 1 plan modification request for the transfer of ownership and change of name to Badger Disposal of Wisconsin, Inc. The change in ownership occurred on January 31, 2003.
8. On May 6, 2003, the Department issued a preliminary determination for the ownership and name change. The preliminary determination became a final determination when comments were not received during the 30 day comment period.
9. On June 17, 2005, the Department issued a Feasibility and Plan of Operation Report Call-in letter requesting Badger Disposal to submit a Feasibility and Plan of Operation Report by December 17, 2005 if Badger Disposal intended to re-license the hazardous waste storage facility. On November 16, 2005, the Department extended the submittal date to March 17, 2006, per Badger Disposal's November 8, 2005 request.
10. On March 17, 2006, Badger Disposal submitted a Feasibility and Plan of Operation Report in response to the Department's call-in letter. The Department issued a notice of incompleteness on May 16, 2006. On July 11, 2006, the Department extended the submittal date for responding to the Department's notice of incompleteness to September 16, 2006, per Badger Disposal's July 6, 2006 request.
11. In a letter dated June 14, 2006, the Department informed Badger Disposal that the August 23, 1996 recycling exemption would no longer exist under the new hazardous waste rules expected to be in effect on August 1, 2006. Fuel blending would be regulated as a treatment activity subject to the licensing requirements in the new rule, ch. NR 670, Wis. Adm. Code. The letter informed Badger Disposal that it should submit a temporary authorization request if it intends to continue fuel blending activities. The letter also stated that a Class 2



modification request should be submitted and the review fee for the modification request would be waived.

12. On July 10, 2006, Badger Disposal submitted a temporary authorization request and class 2 modification request to allow the fuel blending activities to continue at Badger Disposal.
13. On July 11, 2006, the Department issued an incompleteness letter for the temporary authorization request.
14. On July 20, 2006, Badger Disposal submitted additional information regarding the temporary authorization request.
15. In an e-mail dated July 25, 2006, the Department requested additional information regarding the fuel blending activities.
16. Badger Disposal provided the additional information in a letter dated July 27, 2006.
17. On August 1, 2006, the new hazardous waste rules, chs. NR 660-679, Wisconsin Administrative Code, became effective.
18. On August 3, 2006, the Department clarified in an e-mail that Badger Disposal could continue fuel blending operations under the recycling exemption dated August 23, 1996 until the temporary authorization is issued.

### CONCLUSIONS OF LAW

1. On June 1, 1998, the Department promulgated chs. NR 600 to NR 690, Wis. Adm. Code, establishing minimum requirements for hazardous waste management under the authority of ch. 291, Wis. Stats.
2. On August 1, 2006, the Department promulgated chs. NR 660 to 679, Wis. Adm. Code, establishing minimum requirements for hazardous waste management under the authority of ch. 291, Wis. Stats.
3. The Department has authority pursuant to s. NR 670.042(5), Wis. Adm. Code, to approve a temporary authorization request.
4. The Department has authority pursuant to s. 289.31(1), Wis. Stats., and s. NR 670.415, Wis. Adm. Code, to issue a hazardous waste operating license.
5. The Department has authority pursuant to s. 289.30(6), Wis. Stats., and s. NR 670.042(2) Wis. Adm. Code, to approve a class 2 modification to a license or plan of operation.
6. In accordance with s. NR 670.042(5), Wis. Adm. Code, the Department concludes that the revision described in Finding of Fact # 11 requires a Class 2 plan modification.

### DETERMINATION AND CONDITIONS

Based on the foregoing Findings of Fact and Conclusions of Law, the Department hereby approves the six-month temporary authorization request under s. NR 670.042(5), Wis. Adm. Code, and in accordance with the license, the most recent plan of operation approval, modifications, and the conditions set forth as follows:





1. The Department reserves the right to modify this determination and to require additional information at any time. Nothing in this conditional approval shall relieve the owner or operator of the legal obligation to comply with applicable federal, state and local requirements. Except as may be expressly provided below, no other terms or conditions of the feasibility and plan of operation approval or license, or any subsequent modifications thereto, are affected by this determination.
2. The licensee shall comply with all conditions of the license, the provisions of chs. 289 and 291, Wis. Stats., all applicable requirements of chs. NR 660 to 679, Wis. Adm. Code, the feasibility and plan of operation approval and all modifications thereof, and any special order or modifications thereto issued by the Department, except as otherwise authorized by the Department under s. NR 670.061 or 670.079, Wis. Adm. Code.
3. Badger Disposal shall immediately implement the procedural changes described in the July 10, 2006 temporary authorization request and subsequent submittals dated July 20, 2006 and July 27, 2006, including, but not limited to:
  - a. The tanker truck shall be accepted at Dock 2 located at the southeastern corner of the building.
  - b. The tanker truck shall be backed over the berm and loaded while the trailer is inside of the existing storage building.
  - c. The new Tanker Truck and Loading Area Inspection Log shall be used.
  - d. The new procedures shall be discussed at the next employee training session. The training shall be documented in the employee training records.
4. The information provided in the July 10, 2006, July 20, 2006 and July 27, 2006 submittals shall be incorporated into the revised Feasibility and Plan of Operation Report to be submitted to the Department by September 17, 2006.
5. This temporary authorization expires 180 days from the date of this determination.

#### **NOTICE OF APPEAL RIGHTS**

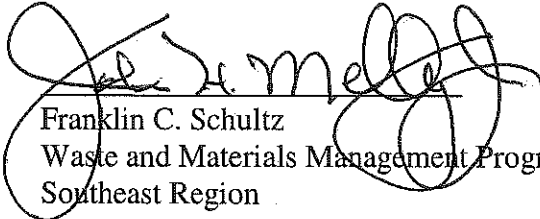
If you believe you have a right to challenge this decision made by the Department, you should know that Wisconsin statutes, administrative codes and case law establish time periods and requirements for reviewing Department decisions.

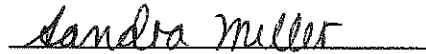
To seek judicial review of the Department's decision, sections 227.52 and 227.53, Stats., establish criteria for filing a petition for judicial review. Such a petition shall be filed with the appropriate circuit court and shall be served on the Department. The petition shall name the Department of Natural Resources as the respondent.

Dated: August 15, 2006



WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

 For F.S.  
Franklin C. Schultz  
Waste and Materials Management Program Supervisor  
Southeast Region

  
Sandra Miller  
Waste Management Specialist  
Licensing and Policy Review  
Southeast Region



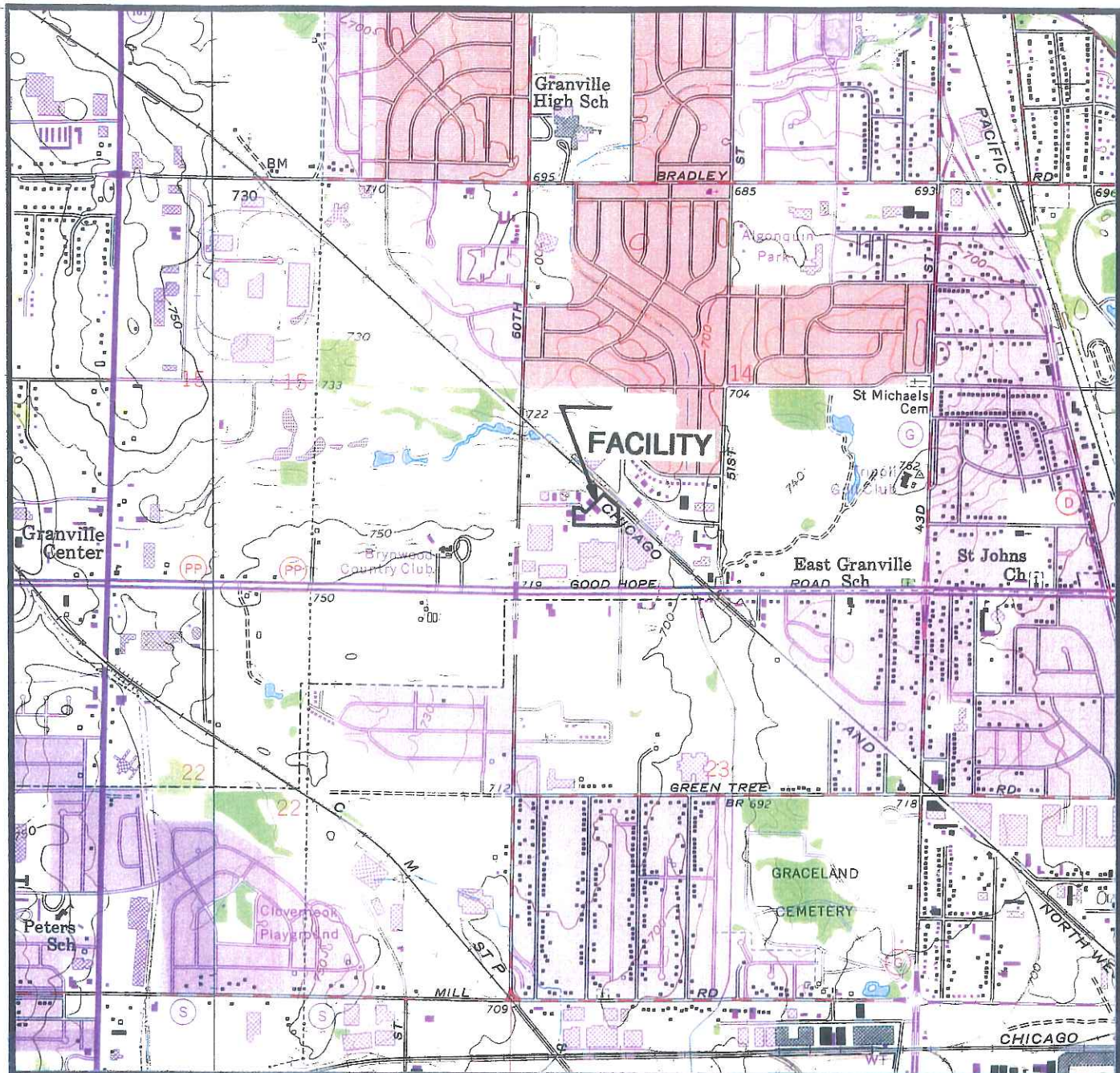
# APPENDIX N

4

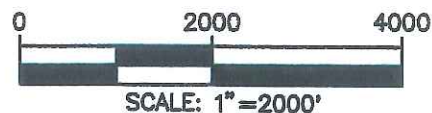
5

6





**STATE LOCATION**



**SITE LOCATOR MAP**

**MILWAUKEE, WI**

SOURCE: BASE MAP FROM MENOMONEE FALLS, WI  
7.5 MINUTE USGS QUADRANGLE DATED 1958,  
PHOTOREVISED 1976 AND THIENSVILLE, WI  
7.5 MINUTE USGS QUADRANGLE DATED 1958,  
PHOTOREVISED 1976.



|              |           |
|--------------|-----------|
| DWN. BY:     | DKJ       |
| APPROVED BY: | THD       |
| DATE:        | JULY 1994 |
| PROJ. #      | 3057.01   |
| FILE #       | 30570186  |

**FIGURE 1**





that disposal of these unwanted products is much more cost effective. Badger Disposal has nationwide contacts with industries which have specific product needs and any of these unwanted products can fulfill the needs of these other users.

Some materials simply cannot be recycled because they either have no reclamation value or a user cannot be located within a reasonable amount of time. In these cases, fortunately, the recycling process is not limited to reuse. These waste materials can become resources for "co-processing". Co-processing is any manufacturing process which uses waste materials in either a single or combined operation to produce a product. Cement manufacturing is one of the largest co-processing industries. Organic liquid wastes replace nonrenewable fossil fuels as the energy source for kiln operation. Wastewaters are used for cooling and make-up water in the cement making process. Wastes used in co-processing not only contribute to the production of an essential product, but conserve natural resources. Co-processing has been hailed by the EPA as one of the most viable waste recycling technologies in existence today.

The presence of Badger Disposal is of great benefit to industries and commercial establishments in the State of Wisconsin in that it provides an acceptable and efficient means of managing the hazardous wastes that are an unavoidable byproduct of many industrial and commercial operations. Most waste management companies do not have the capabilities to handle small quantities of materials. Badger Disposal has specialized in dealing with materials from small quantity generators, we have carved out a "niche" in the industry to manage the one to five drum quantities of small quantity generators. Badger Disposal also enhances the welfare of the people and environment of the State of Wisconsin as a whole by providing a proper means of managing such hazardous wastes and thereby lessening the likelihood of random, improper, or illicit disposal of such wastes within the state.

## **1.2 Listing of Statutory and Other Permits Required**

In June 1990, Badger Disposal commenced solid waste transfer operations at this facility. Badger Disposal was granted a solid waste facility operating license on July 8, 1992, by the Wisconsin Department of Natural Resources (WDNR). Badger Disposal was issued an interim license for a hazardous waste storage facility on March 15, 1994. On April 19, 1996 Badger Disposal received a Hazardous Waste Operating License. On August 23, 1996 Badger Disposal received a Recycling Exemption in order to conduct exempt hazardous waste recycling activities. On May 14, 1997 Badger Disposal received a modification allowing the acceptance of ignitable hazardous waste.



In 1996 Badger Disposal received a tier 2 general storm water discharge permit from the WIDNR, permit #WI-S067857. On February 16, 2006, Badger Disposal received a conditional exemption for the storage and transfer of PCB waste. On July 13, 2006 Badger Disposal received a Solid Waste Facility Operation License for warehouse space leased at 5609 West Hemlock Street, Milwaukee, WI. On August 15, 2006 Badger Disposal received a 6 month temporary authorization to continue fuel blending activities from the WIDNR.

### **1.3 Estimated Cost and Funding Source**

The estimated construction cost of the proposed addition to the facility is estimated at \$2,500,000. Badger Disposal plans to fund the proposed addition to the facility through a commercial lending institution. Construction of the above item is expected to be completed in 24 to 36 months.



## Section 2 PROPOSED PHYSICAL CHANGES

### 2.1 Changes in Terrestrial Resources

During the construction of the proposed facility addition no soil removal from the site is anticipated. Limited soil excavation will be required for the existing building addition. Excavated soils will be used to fill any uneven terrain in the operation areas of the proposed facility. Because there will be no disposal or treatment of wastes at this facility, no liners, final cover systems, drainage blankets or perimeter berms are necessary to be constructed. In addition, it is anticipated that soil placement will not be necessary to reach the proposed sub-base grades.

### 2.2 Changes in Aquatic Resources

Badger Disposal operations do not include treatment or disposal of wastes. No changes in aquatic resources are anticipated as a result of facility operations or following closure at Badger Disposal. The following discussion describes the aquatic resources in the area.

#### 2.2.1 Surface Water

There are no surface water bodies on-site. On the northern/northeastern boundary of the site are Chicago and Northwestern Railroad tracks with an elevated grade. The railroad trends northwest to southeast. This railroad grade influences site surface water runoff in that the lowest part of the site is adjacent to the south side of this grade. This causes site drainage to occur to the southeast along this railroad grade.

#### 2.2.2 Wetlands

The Wisconsin Wetlands Inventory Map for Township 8 North, Range 21 East, covering Milwaukee, Wisconsin (Figure 2), shows that the facility has no wetlands; therefore, the facility meets the locational requirements of WAC NR 630.18 (2) and no wetland related limitations on site development are invoked. According to the Wetland Inventory Map, several wetland areas smaller than two acres in size are located approximately 1,300 feet northwest of the facility. In addition, an artificially excavated, open water, wet soil, Palustrine wetland area is located approximately 4,200 feet southwest of the facility. Due to the distance of the above mentioned



wetland areas from the facility, it is anticipated that minimal impacts, if any, to Wisconsin wetlands would occur due to Badger Disposal operations.

### 2.2.3 Floodplain

The Federal Insurance Administration (FIA) Map Number 550278 0018 C covering Milwaukee, Wisconsin (Figure 3), shows that the facility is not located in a 100-year floodplain; therefore, the facility meets the locational requirements of Wisconsin Administrative Code (WAC) NR 630.18(1) and no floodplain related limitations on site development are invoked. According to the FIA map, the facility is located in Zone C (areas of minimal flooding). To the east of the facility, across the Chicago and Northwestern Railroad is Lincoln Creek which runs through an area zoned as A2. Areas with an A2 zone designation are described by FEMA as areas within a 100-year floodplain. Base flood elevations for this area range between 696 and 708. Elevations of the facility range from 734 to 720, which is significantly higher topographically than the floodplain base flood elevations.

## 2.3 Structures to be Constructed

Three structures, one building addition and an access road make up the extent of the construction activities of Badger Disposal's proposed facility. The three structures include: an approximately 25-foot by 75-foot concrete pad for Roll-Off Storage; a 60-foot by 105-foot lab-repack building which will house two 5,500-gallon tanks, five 29-drum containment areas, and five repackaging booths (each equipped with emission control equipment) and a small office area; and a small canopied tank farm (40 feet by 65 feet) which will include four 12,000-gallon above ground storage tanks, a liquid nitrogen tank, and a tank truck loading and unloading area. Badger Disposal is also proposing a 40-foot by 130-foot addition to the existing building for additional drum storage capacity. Once the proposed facility is completed, approximately 42,000 square feet of additional asphalt will cover the active portions of the expanded facility.

## 2.4 Emissions and Discharges

Emissions related to construction equipment will be controlled as appropriate during preparation and construction activities. Badger Disposal will also set up temporary silt fences on site during construction to prevent sediment run-off. During normal operations of the existing facility the potential exists for minimal amounts of volatile organic compounds (VOCs) to be released from drums when they are opened briefly



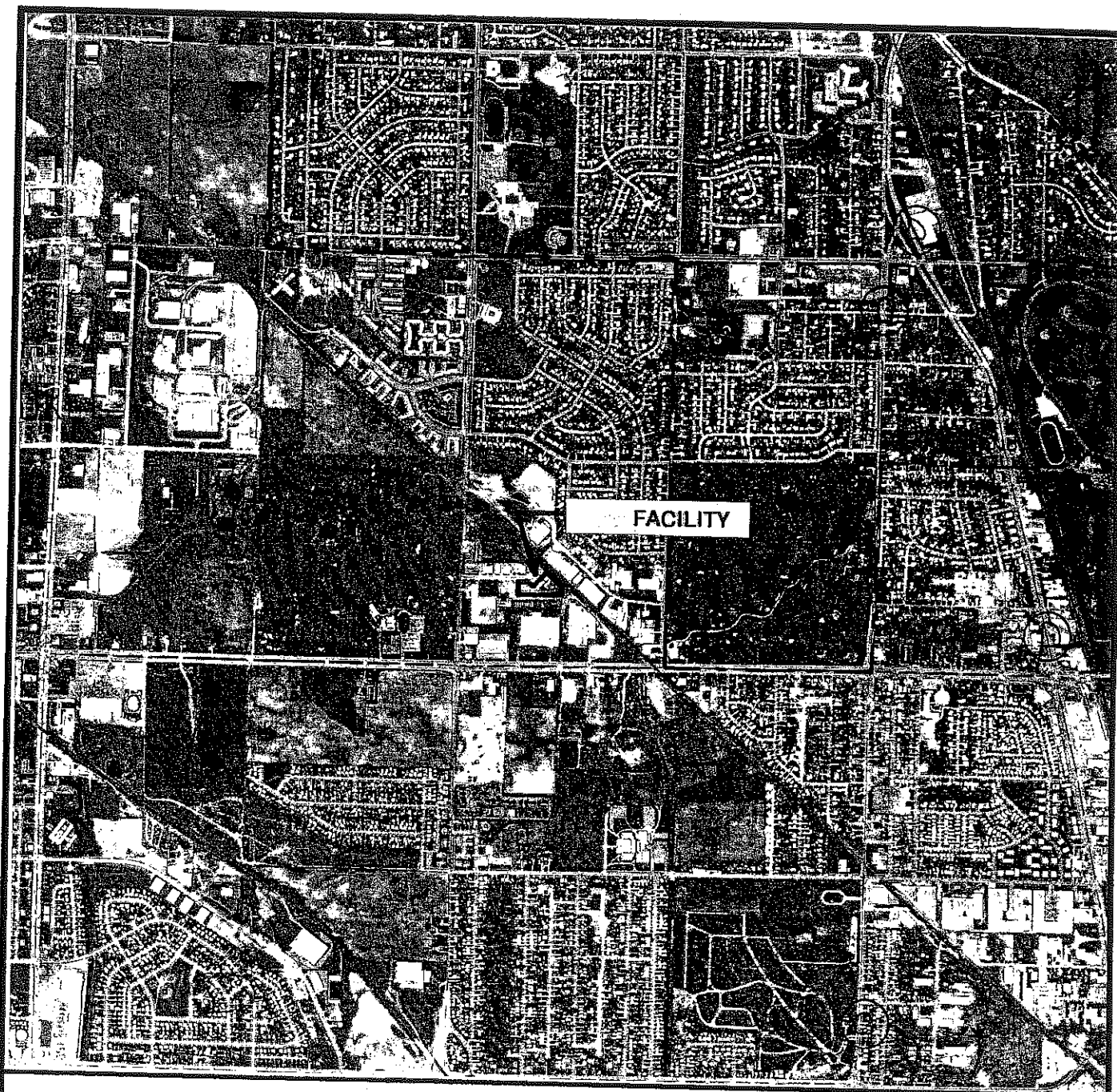


for sampling. Major truck parking and maneuvering areas are paved, and such dust generation on the site will be minimal from vehicle movement.

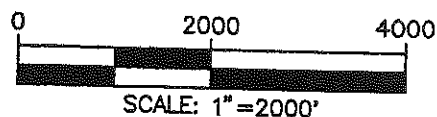
**2.5 Other Changes Anticipated with Facility Development**

No other changes associated with the facilities operations are anticipated other than those stated in this application.





**STATE LOCATION**



**WETLANDS MAP**

## MILWAUKEE, WISCONSIN

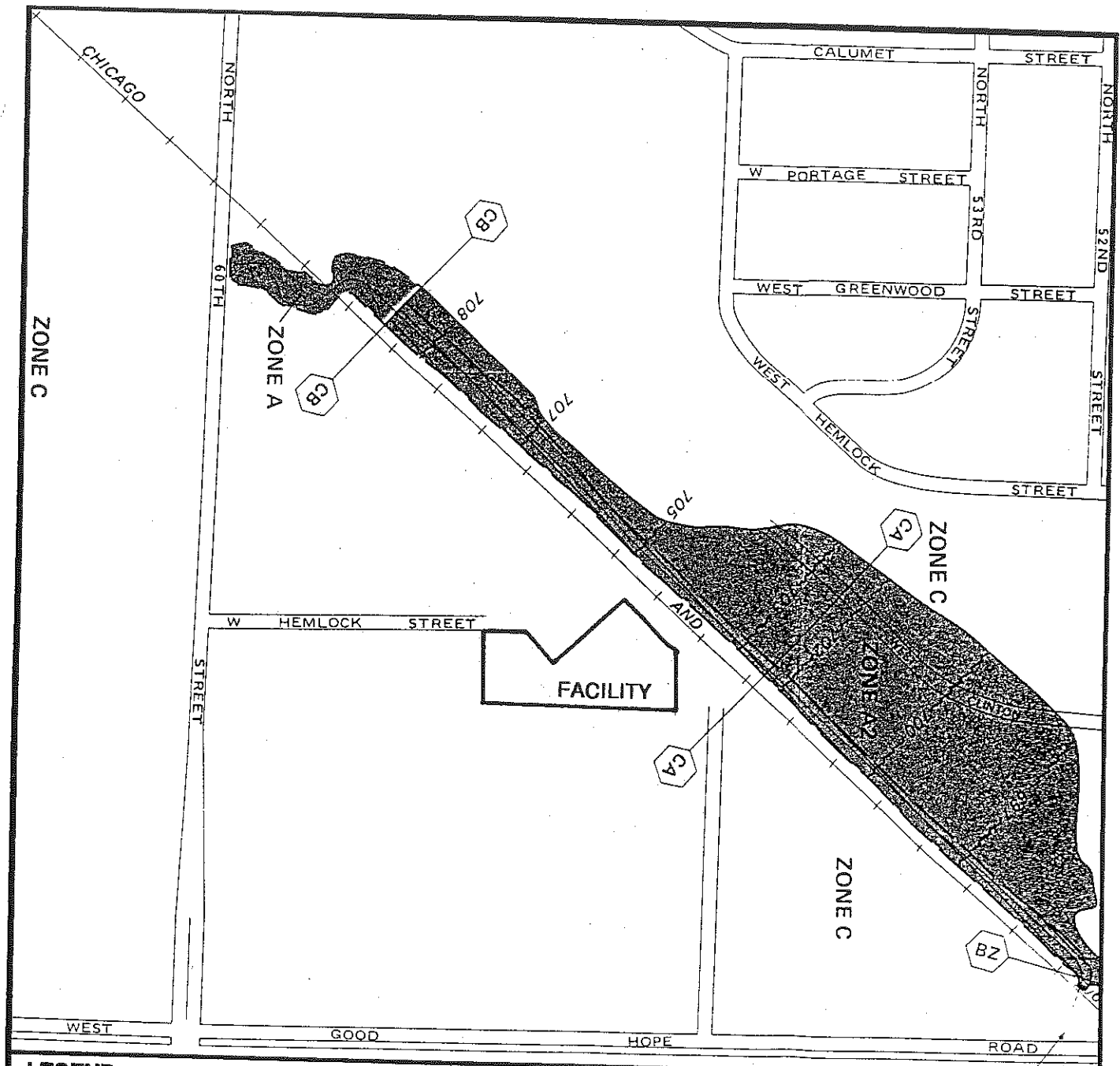
SOURCE: BASE MAP FROM T. 8N, R. 21E, MILWAUKEE COUNTY, WI; WISCONSIN WETLANDS INVENTORY, WDNR BUREAU OF PLANNING, DATED 1979. REVISED 1986, 1987, AND 1989. PHOTOREVISED 1976.



|              |           |
|--------------|-----------|
| DWN. BY:     | DKJ       |
| APPROVED BY: | TAD       |
| DATE:        | JULY 1994 |
| PROJ. #      | 3057.01   |
| FILE #       | 30570187  |

**FIGURE 2**

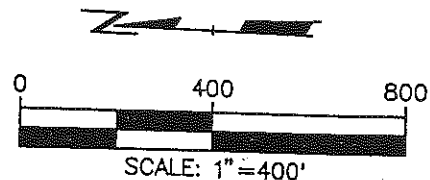




# **LEGEND**

- ▲ APPROXIMATE LOCATION OF LAGOON No. 3
- | ZONE   | EXPLANATION   |
|--------|---|
| A1-A30 | AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED.   |
| B      | AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. |
| C      | AREAS OF MINIMAL FLOODING   |

SOURCE: BASE MAP FROM FIRM FLOOD INSURANCE RATE MAP FOR CITY OF MILWAUKEE, WISCONSIN; COMMUNITY-PANEL NUMBER 550278 0018 C, MAP REVISED NOVEMBER 15, 1985.



## **FLOODPLAIN MAP**

**MILWAUKEE, WISCONSIN**



DWN. BY: DKJ  
APPROVED BY: THD  
DATE: JULY 1994  
PROJ. # 3057.01  
FILE # 30570188



### Section 3 EXISTING ENVIRONMENT

#### 3.1 Description of the Physical Environment

The characterization of site geology and hydrogeology will describe the glacially deposited unconsolidated units, which includes topsoil, and the underlying consolidated bedrock. The description of geology and hydrogeology was based on ten driller's logs of nearby water supply wells (within 1.5 miles), the Soil Survey of Milwaukee and Waukesha Counties, Wisconsin and other geologic publications.

##### 3.1.1 Topography

Based on a map of site topography prepared for the site and surrounding area, there is approximately 23 feet of relief across the site. The ground surface drops from the highest point on the site, 733.4 feet above mean sea level (MSL) to approximately 710 feet above MSL on the southeast side of the site and approximately 720 feet above MSL on the northern boundary of the site. The majority of the site is flat at approximately 733 feet above MSL.

##### 3.1.2 Geology

The Badger Disposal facility is located in an area that has been identified as an end moraine for the Lake Michigan Lobe of the Wisconsin ice advance (Alden 1918). Typical end moraine stratigraphy is composed of relatively high percentages of clay till with low potential for containing large deposits of sand and gravel. As confirmed by driller's logs for the area (Appendix A) this area has a high potential for containing small to moderate deposits of sand and gravel. Generally speaking, the driller's logs show 50 to 125 feet of clay till overlying what the drillers call limestone but which is more likely dolomite.

There are two soil types that have developed in the upper till units in the area. These two soil types are briefly described in the Soil Survey of Milwaukee and Waukesha Counties, Wisconsin:

*Cv, Clayey Lands - Primarily within cities or towns where the entire developed soil layer has been excavated for fill material or has been buried during development of the property. The material in this land type is mainly clay to clay loam that has been compacted which causes much potential of rainfall runoff. The soil type is unfavorable for the growth of plants.*





*OuB, Ozoukee Silt Loam - 2 to 6 percent slopes, well drained to moderately well drained silty soils, moderately slow permeabilities with high available water capacity. Natural fertility is moderate.*

Due to the development of the existing building it is unlikely any of these soil types are present today.

The generalized cross section for southeastern Wisconsin (Figure 4) shows the relationship of the sedimentary bedrock that underlies the till at the site.

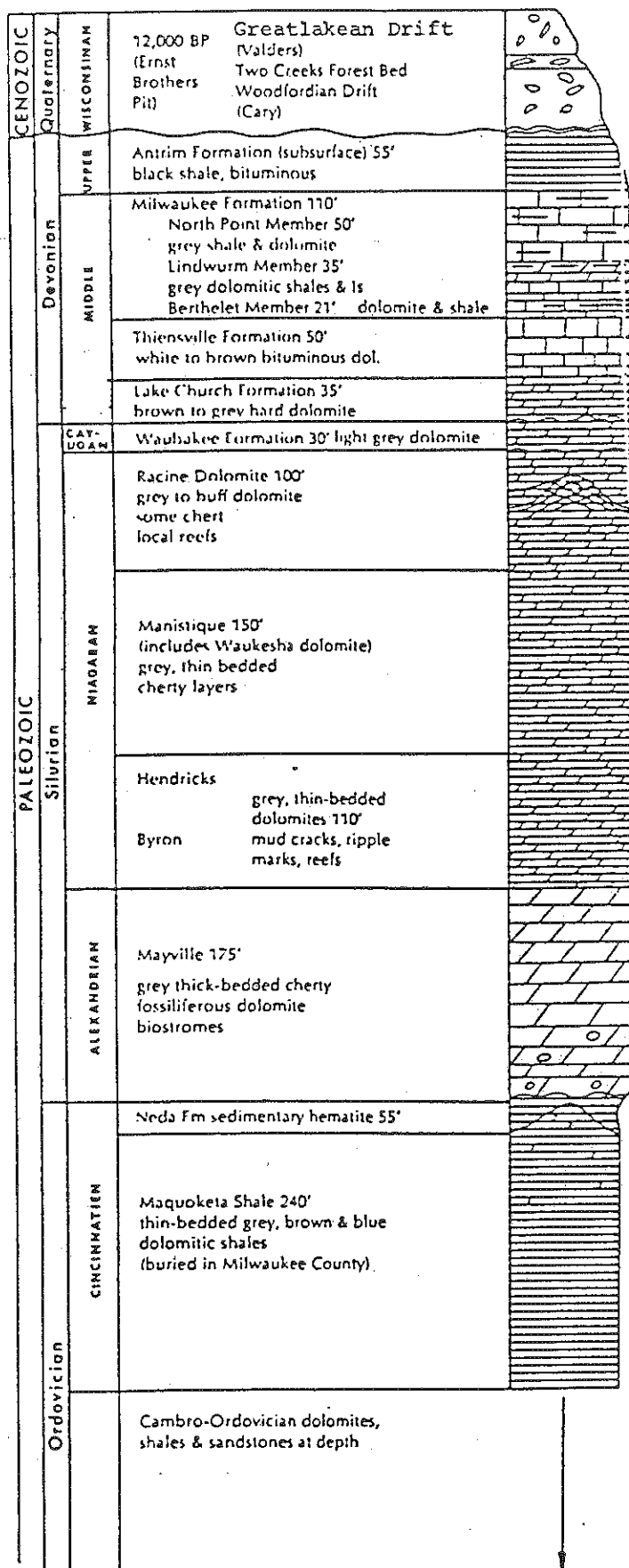
Based on the map of the bedrock surface, the descriptions of the formations on the generalized cross section, and the descriptions on the driller's logs, it is believed that the bedrock surface at the facility is the Niagaran age dolomite. Though the site lies near the mapped boundary for the western edge of the younger Devonian Milwaukee formation, the geologic log of the well just east of the facility identifies the bedrock surface to be Niagara dolomite.

The upper part of the Niagara is a massive light gray dolomite. The central part commonly contains some chert and is pink at many places. The lower part is a light gray dolomite which is not as massive as the upper part. The Niagara has a maximum thickness of 477 feet in Northeastern Milwaukee County. An extensive system of joints and other fractures has developed in the Niagara and have been enlarged by solution. Though the openings are not cavernous, they make the very dense dolomite permeable.

### 3.1.3 Hydrogeology

Pleistocene deposits are permeable sand and gravel deposits in or at the base of the glacial drift which are capable of providing water in quantities adequate for domestic or farm supply uses. However, there have been no borings at the site to confirm the existence of a water bearing unit of this type. Although the driller's logs of water supply wells show sand, gravel and sand and gravel units at 3 to 13 feet thick, it is not known that these units could produce this quantity of water.





## GENERALIZED GEOLOGIC SECTION FOR SOUTHEASTERN WISCONSIN

SOURCE: BASE MAP FROM NELSON AND LASCA,  
MILWAUKEE - ITS GEOLOGIC SETTING,  
GEOTIMES VOLUME 17, PAGE 13.



|              |           |
|--------------|-----------|
| DRAWN BY:    | DKJ       |
| APPROVED BY: | THD       |
| DATE:        | JULY 1994 |
| PROJ #       | 3057.01   |
| FILE #       | 30570190  |

FIGURE 4



The Niagara is a dense dolomite that is an inconsistent aquifer. Groundwater occurs along joints and bedding planes in this formation. Solution enlarges these openings especially in the upper part of the formation where the preglacial land surface was exposed. Some wells in the Niagaran in the area can produce as much as 600 gallons a minute where as others only produce enough for domestic use (Foley et.al, 1953).

The shallow inconsistent aquifers consisting of the glacial drift of Pleistocene age and the Niagara dolomite of Silurian age are separated from the deeper Cambrian and Ordovician age sandstone aquifer that is most frequently used in the area by 90 to 225 feet of Maquoketa Shale which acts as a confining layer. The sandstone aquifer consists of the St. Peter, Eau Claire and Mt. Simon formations with the St. Peter and Mt. Simon being the most productive formations.

#### 3.1.4 Groundwater and Surface Water Quality

Groundwater and surface waters in the Milwaukee/Waukesha area have high natural hardness (Holt, 1970). The average total mineral content of groundwater of all aquifers underlying this area is 435 parts per million (ppm). Sulfate levels in some wells exceed the drinking water standard of 250 ppm. Chloride and iron contents are generally low but can be problematic on a local basis. Hardness of groundwater generally increases with depth (Foley, 1953).

#### 3.1.5 Facility Effects on Groundwater and Surface Waters

Because of the engineered secondary containment around storage and processing areas in both the existing and proposed facility addition, the chance of an accidental leak or spill that could escape from the site and enter surface or groundwater is negligible. Such a release incident has not occurred during the history of the existing facility. Further, as described above, there are no significant geological or topographic features on the site. Because the facility has only negligible potential to affect any of the surrounding area, extensive geotechnical data is not relevant to this facility.

### 3.2 Dominant Aquatic and Terrestrial Plant and Animal Species and Habitats

The dominant aquatic and terrestrial plant and animal species found in the area of Badger Disposal are those species typically found in urban areas of southwestern Wisconsin. As noted above, the existing and proposed facility addition are not located within a 100-year floodplain and have no areas designated as wetlands. A letter along with site specific information was sent to the Bureau of Endangered Resources



on October 31, 2005 requesting an Endangered Resources Review for the proposed Badger Disposal Expansion project. Copies of this correspondence is located in Appendix B.

### **3.3 Land Use and Zoning**

The property on which the Badger Disposal facility is located covers approximately three acres. The Badger Disposal facility is bounded on the north by JES Lighting Inc. and EOG Environmental Inc., a lighting distributor and a waste transporter and brokerage firm, respectfully; on the northeast by the Chicago and Northwestern Railroad; on the east and south by Packaging Corporation of America, a manufacturer of cardboard boxes; on the west by Centercom, a reproducer of video tapes. There are approximately 281 single family residential homes, 41 multi-family dwellings, and approximately 50 commercial/industrial establishments located within 0.5-miles of the facility. The more heavily populated residential subdivisions begin approximately 0.2 miles northeast of the facility across the railroad tracks.

Zoning maps provided by the City of Milwaukee Department of City Development show that the facility is zoned for industrial use, which is consistent with the present and proposed facility addition. The properties surrounding the Badger Disposal facility are currently used for manufacturing, warehousing, and other commercial activities.

### **3.4 Social and Economic Conditions**

Direct effects upon the community of the existing and proposed facilities are minimal, as discussed above. The indirect effects are even less. There will be a slight increase in traffic flow on the roadways used as the access route because of the size of the proposed facility addition compared to that of the existing facility, but this increase will be imperceptible. No cumulative effects are anticipated from the existing or proposed project.

### **3.5 Other Special Resources**

A letter along with site specific information was sent to the State of Wisconsin DNR, Archaeology Office on October 31, 2005 requesting information on historical and archeological sites in the area of the site. According to their response, there are no known archeological sites or historic structures in the project area. A copy of this letter as well as the response is included in Appendix C.





## Section 4 ENVIRONMENTAL CONSEQUENCES

### 4.1 Physical Impacts

Both the existing and proposed facility addition have minimal physical impact on the population and environment of the surrounding area. During normal operations of the existing facility the potential exists for minimal amounts of volatile organic compounds (VOCs) to be released from drums when they are opened briefly for sampling. Truck parking and maneuvering areas are paved, and such dust generation on the site will be minimal from vehicle movement.

### 4.2 Biological Impacts

As mentioned earlier in this report, Badger Disposal's facility and operations will not cause any destruction of habitat, alterations of the physical environments or impacts to endangered or threatened species. As noted above, no occurrence records of Endangered, Threatened, or Special Concern species or natural communities, nor for any State Natural Areas were identified for the subject property by the Natural Heritage Inventory data files.

### 4.3 Impacts on Land Use

Since Badger Disposal's existing and proposed addition are located in an area zoned for industrial uses and properties surrounding Badger Disposal are currently used for manufacturing, warehousing and other commercial activities, no impacts on land use will result from Badger Disposal's existing and proposed addition. No land zoning changes are known to be required and the land itself could be returned to its natural state by the removal of all structures, including foundations, from the site.

### 4.4 Social and Economic Impacts

While there will not be any social impact to local residents and cultural groups as a result of this facility expansion, there will be an economic impact to the communities and industries that the facility serves. An increase in storage capacity and processing abilities to the facility may result in revenues for the company. The addition will allow Badger Disposal to provide better service to its customers by accepting wastes that may be nearing the 90 day storage limit that both large and small quantity generators must adhere to. This service will aid Badger Disposal's clients in maintaining compliance.



#### **4.5    Other Special Resource Impacts**

As noted in subsection 3.5 of this report, there are no known archeological sites in the project area. Furthermore, this project will not affect any structures that are listed in, or known to be eligible for inclusion in, the National Register of Historic Places.

#### **4.6    Probable Adverse Impacts that Cannot be Avoided**

It is possible for accidental leaks or spills to have an adverse impact upon facility operations; however, extensive physical barriers, such as engineered secondary containment structures, and operational barriers, such as the precautionary procedures described in the Training Program, Preparedness and Prevention Plan, and Inspection Schedule, reduce the possibility of such adverse impacts. The effectiveness of these procedures have been demonstrated by the absence of such accidental adverse impacts during the past years of operation of the existing facility.



**Section 5**  
**ALTERNATIVES TO THE PROJECT**

The main alternative to the expanded facility would be to construct another facility at a different site with equivalent capacity. However, the history of Badger Disposal demonstrates the need for such a facility in the area. Continued operation, and expansion, of the present facility is the most reasonable and economical way of addressing demonstrated and anticipated need with minimum environmental impact.



**Section 6**  
**REFERENCES**

Alden, William C., 1918. The Quaternary Geology of Southeastern Wisconsin, United States Geological Survey, Professional Paper 106.

Cherkauer, Douglas S. et.al., 1977. Geology of Southeastern Wisconsin, A guidebook for the 41st Annual Tri-State field Conference, Wisconsin State Geologic and Natural History Survey.

Foley, F.C., W.C. Walton and W.J. Drescher, 1953. Groundwater Conditions in the Milwaukee-Waukesha Area Wisconsin, Geological Survey Water Supply Paper 1229, United States Government Printing Office, Washington.

Holt, C.L.F., Jr., 1970. Field Trip Guidebook to the Hydrogeology of the Rock-Fox River Basin of Southeastern Wisconsin, Geological Society of America.

Southeast Wisconsin Regional Planning Commission, 1980. A Regional Air Quality Attainment and Maintenance Plan for Southeastern Wisconsin: 2000, Southeastern Wisconsin Regional Planning Commission.



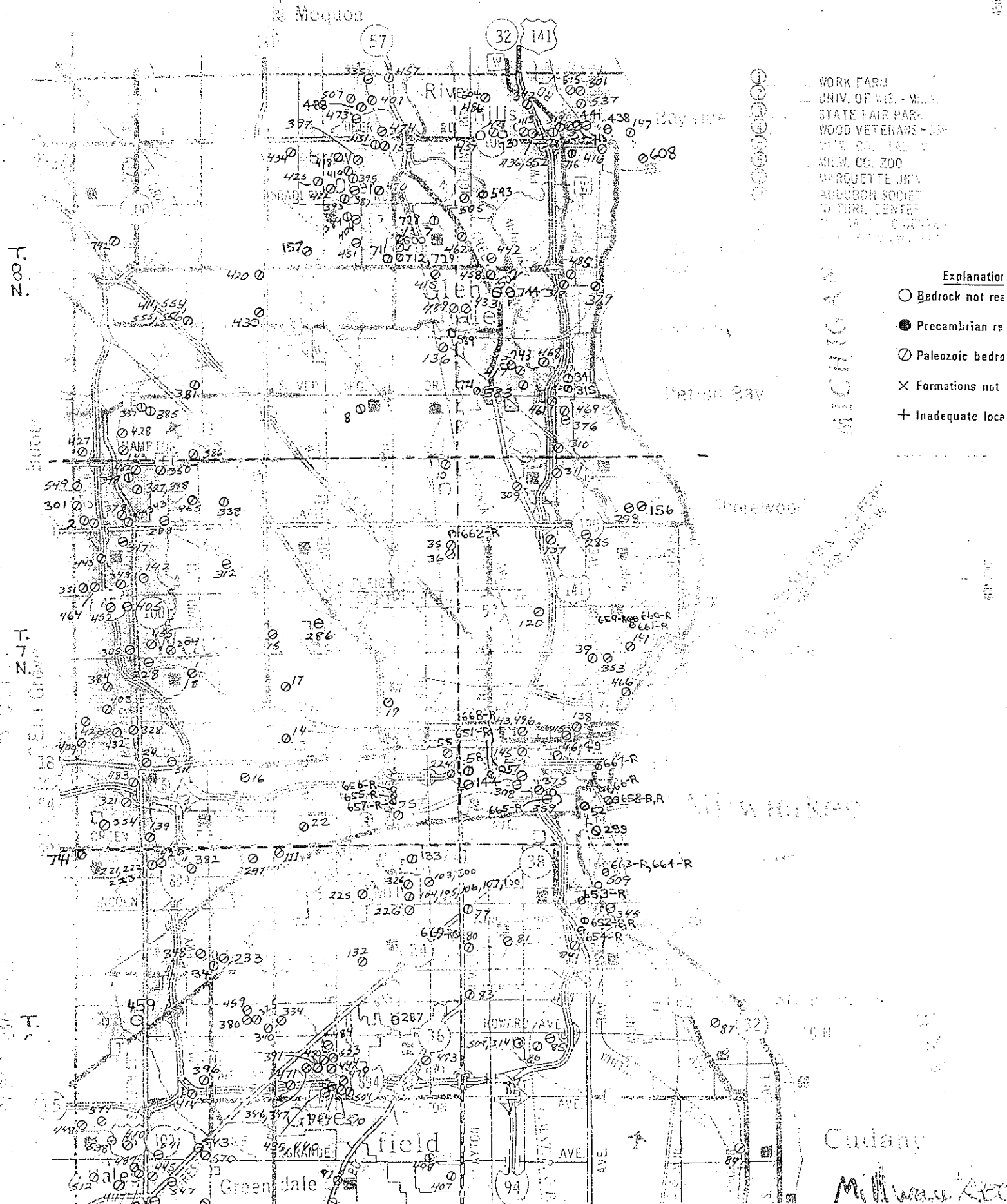


**Appendix A**

**WELL LOGS**



JUN 8 1994









WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH ML-4E  
See Instructions on Reverse Side

1. County
2. Local
3. Owner
4. Mail

non-responsive

5. From well to nearest: Building \_\_\_\_\_ ft; sewer \_\_\_\_\_ ft; drain \_\_\_\_\_ ft; septic tank \_\_\_\_\_ ft;  
dry well or filter bed \_\_\_\_\_ ft; abandoned well \_\_\_\_\_ ft. No buildings or sewers

6. Well is intended to supply water for: Subdivision

7. DRILLHOLE:

| Dia. (in.) | From (ft.) | To (ft.) | Dia. (in.) | From (ft.) | To (ft.) |
|------------|------------|----------|------------|------------|----------|
| 16         | 0          | 46       |            |            |          |
| 10         | 46         | 167      |            |            |          |

8. CASING AND LINER PIPE OR CURBING:

| Dia. (in.) | Kind and Weight  | From (ft.) | To (ft.) |
|------------|------------------|------------|----------|
| 16         | Black steel pipe | 0          | 40       |
| 10         | " " "            | 46         | 74       |

9. GROUT:

| Kind     | From (ft.) | To (ft.) |
|----------|------------|----------|
| Concrete | 0          | 46       |

11. MISCELLANEOUS DATA:

Yield test: 22 Hrs. at 135 GPM.

Depth from surface to water-level: 27 ft.

Water-level when pumping: 196 - 200 ft.

Water sample was sent to the state laboratory at:

Stephl Lab. on July 17, 1957  
City

10. FORMATIONS:

| Kind             | From (ft.) | To (ft.) |
|------------------|------------|----------|
| Red clay         | 0          | 30       |
| Gravel           | 30         | 39       |
| Stoney blue clay | 39         | 65       |
| Gravel           | 65         | 70       |
| Shell rock       | 70         | 74       |
| Limestone        | 74         | 167      |

Construction of the well was completed on:

August 10 1957

The well is terminated 18 inches  
☒ above, below ☐ the permanent ground surface.

Was the well disinfected upon completion?

Yes ☒ No ☐

Was the well sealed watertight upon completion?

Yes ☒ No ☐

Signature Kneack & Son Company  
Registered Well Driller

non-responsive

Complete Mail Address

Please do not write in space below

Rec'd \_\_\_\_\_ No \_\_\_\_\_

Ans'd \_\_\_\_\_

Interpretation

CC: Dist #2

FILE

STEWART

10 ml 10 ml 10 ml 10 ml 10 ml

Gas—24 hrs. \_\_\_\_\_

48 hrs. \_\_\_\_\_

Confirm \_\_\_\_\_

B. Coll \_\_\_\_\_

Examiner \_\_\_\_\_





WELL CONSTRUCTION REPORT  
WISCONSIN STATE BOARD OF HEALTH  
WELL DRILLING DIVISION

ML-191-  
AUG 23 1939

Note: Section 82 of the Wisconsin Well Drilling Sanitary Code, having the force and effect of law, provides that within 10 days after completion of every well the driller shall submit a report covering all essential details of construction to the State Board of Health on a form provided by the Board.

Owner Brynwood Golf Club Driller Edith H. Gaecke  
Street or RFD Sta. 7, Milwaukee Post Office R. 9, Sta. 7, Milwaukee  
Post Office Milwaukee Date Aug 19 Permit No. 100

LOCATION OF PREMISES

SE, Sec 15 T8NR2E

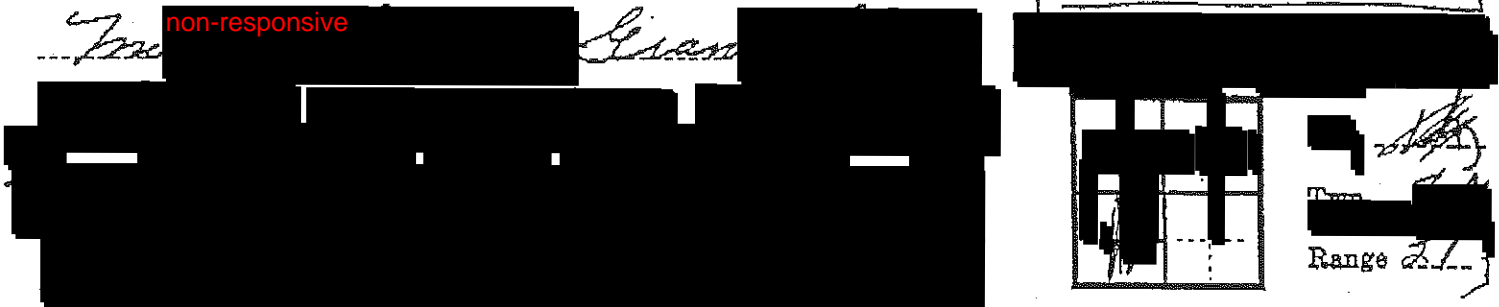
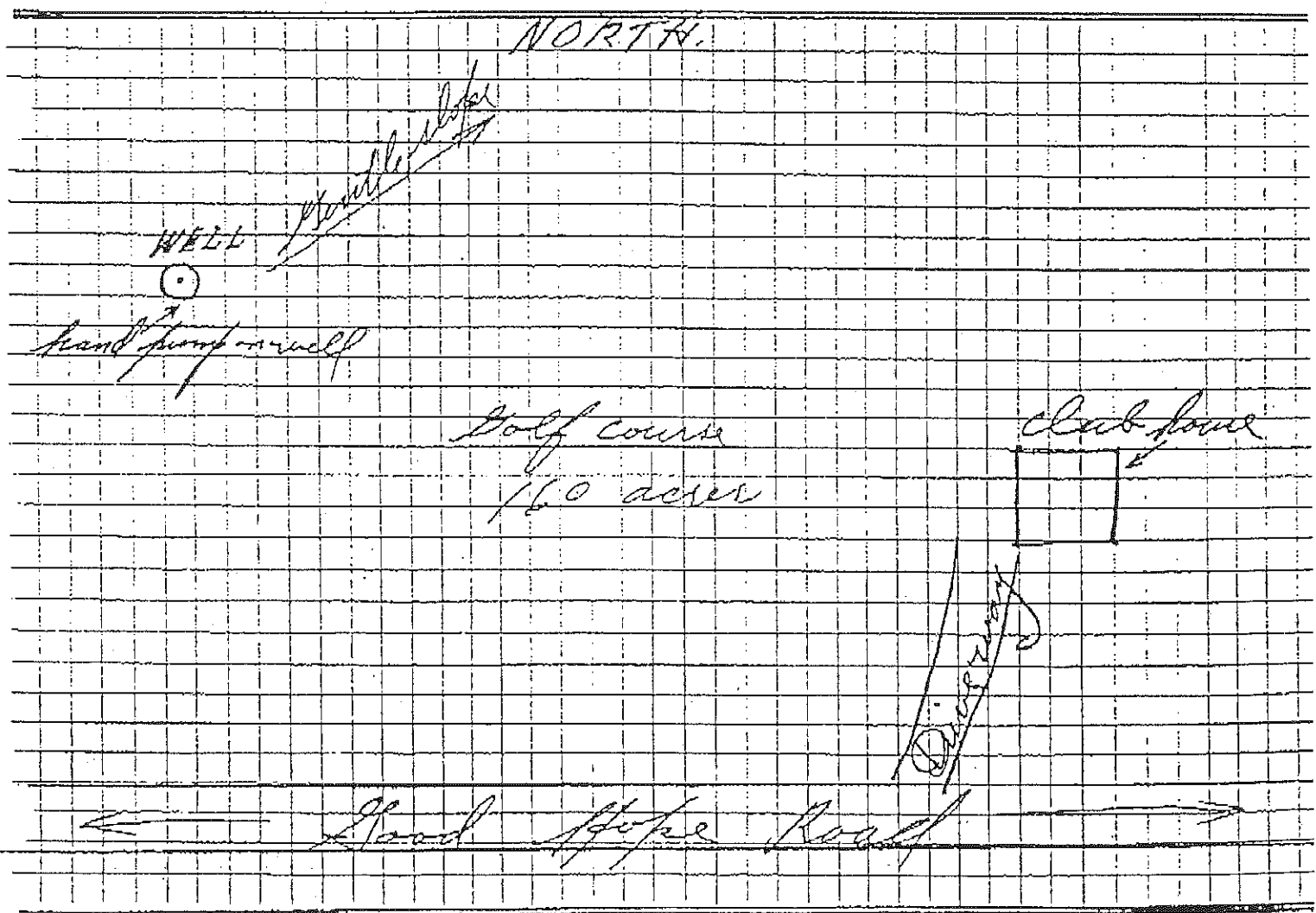


DIAGRAM OF PREMISES

See discussion and illustration in Part III Well Drilling Code. In making the diagram in the space below consider 10 ft. as distance between lines. Be sure to indicate NORTH.

NORTH





LTW

## WELL LOG and REPORT

ML-191-1

In this column indicate the kind of casing, liner, shoe and other accessories used.

WELL DIAGRAM  
Use a red line to show casing or liner pipe. Use black for drill or borehole.

In this column state the kind of formations penetrated, their thickness in feet and if water bearing.

Record of  
FINAL  
Pumping to

YOUNGSTOWN  
SPECIAL STEEL  
PIPE

KOPPERUD FORGED  
STEEL SHOE

| Inches                     | Diameter | Depth |
|----------------------------|----------|-------|
| 2 3 4 5 6 8 10 12 14 16 18 |          |       |
|                            |          | 15    |
|                            |          | 25    |
|                            |          | 30    |
|                            |          | 50    |
|                            |          | 75    |
|                            |          | 90    |
|                            |          | 100   |
|                            |          | 110   |
|                            |          | 120   |
|                            |          | 135   |
|                            |          | 150   |
|                            |          | 200   |
|                            |          | 400   |
|                            |          | 800   |
|                            |          | 1200  |

Draw the diagram to show the right half only

TOP SOIL  
15'

SAND & GRAVEL  
15'

CLAY AND STONES  
60'

SAND WATER BEARING  
HARD PAN 19'  
LIME ROCK 15'

Duration of test  
Hours 7

Pumping rate  
G.P.M. 12

Depth of pump in  
well. Ft. 76

Standing water-level  
(from surface)  
Ft. 45

Water-level when  
pumping Ft. 51

Water. End of test  
Clear ✓  
Cloudy         
Turbid       

Was the well sterili  
Yes ✓ No       

To which laborat  
sample sent?

Barucha  
Date July 1

Was the well se  
completion?  
Yes ✓ No       

How high did you l  
casing pipe above g  
8 in

Well was completed  
Date July 1

Well Driller  
Emil H. K.  
Signature



WELL CONSTRUCTION REPORT  
WISCONSIN STATE BOARD OF HEALTH  
WELL DRILLING DIVISION

AUG 23 1919  
ML-192-1

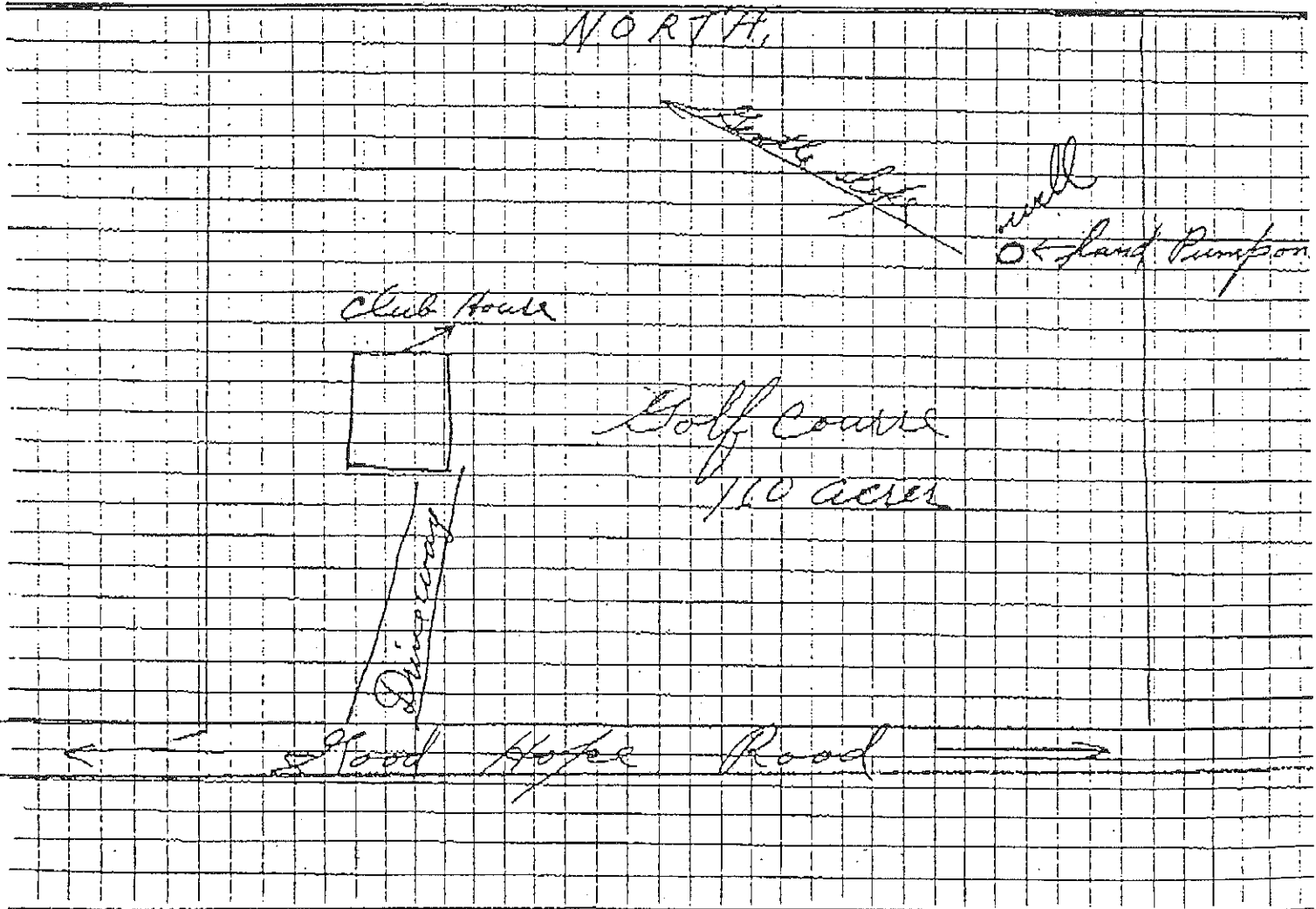
Note: Section 32 of the Wisconsin Well Drilling Sanitary Code, having the force and effect of law, provides that within 10 days after completion of every well the driller shall submit a report covering all essential details of construction to the State Board of Health on a form provided by the Board.

Owner Brynwood Golf Club Driller Emil H. Gossels  
Street or RFD Rt. 4, Milwaukee Post Office R. 9, Ste. J. Milwaukee  
Post Office Milwaukee Date Aug 19, 1919 Permit No. 100

LOCATION OF PREMISES

non-responsive

See discussion and illustration in Part III Well Drilling Code. In making the diagram in the space below consider 10 ft. as distance between lines. Be sure to indicate NORTH.





LTW

## WELL LOG and REPORT

ML-192

In this column indicate the kind of casing, liner, shoe and other accessories used.

WELL DIAGRAM  
Use a red line to show casing or liner pipe. Use black for drill or borehole.

In this column state the kind of formations penetrated, their thickness in feet and if water bearing.

Record of  
FINAL  
Pumping to

YOUNGSTOWN  
SPECIAL STEEL  
PIPE

KOPPERUD FORGED  
STEEL SHOE

Inches Diameter  
2 3 4 5 6 8 10 12 14 16 18

Depth

TOP SOIL  
and CLAY  
45'

Duration of test  
Hours 6

Pumping rate  
G.P.M. 12

Depth of pump in  
well. Ft. 85

Standing water-level  
(from surface)  
Ft. 40

Water-level when  
pumping Ft. 5

Water. End of test  
Clear ✓

Cloudy ✓  
Turbid ✓

Was the well sterilized  
Yes ✓ No ✓

To which laboratory  
sample sent?

Reverend  
Date July 2

Was the well sealed  
completion?  
Yes ✓ No ✓

How high did you  
casing-pipe above ground  
None

Well was completed  
Date July 19

Well Driller  
Emil A. C.  
Signature

Draw the diagram to show the  
right half only





**WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH**  
See Instructions on Reverse Side

**RECEIVE**

1. County Milwaukee Town Granville  
 2. Location non-responsive Village Granville  
 3. Owner or Agent non-responsive City Granville  
 4. Address non-responsive  
 5. From well to nearest: Building 15 ft; sewer 35 ft; drain 15 ft; septic tank 60 ft  
 dry well or filter bed 75 ft; abandoned well none ft.  
 6. Well is intended to supply water for: Caretaker's home

**7. DRILLHOLE OR EXCAVATION:**

| Dia. (in.) | From (ft.) | To (ft.) |
|------------|------------|----------|
| 10         | 0          | 20       |
| 6          | 20         | 232      |
|            |            |          |
|            |            |          |

**8. CASING AND LINER PIPE OR CURBING:**

| Dia. (in.) | Kind            | From (ft.) | To (ft.) |
|------------|-----------------|------------|----------|
| 6          | Standard weight |            |          |
|            | steel pipe      | 0          | 129      |
|            |                 |            |          |
|            |                 |            |          |

**9. GROUT:**

| Kind         | From (ft.) | To (ft.) |
|--------------|------------|----------|
| Puddled clay | 0          | 20       |
|              |            |          |
|              |            |          |
|              |            |          |

**10. FORMATIONS:**

| Kind                | Thick-<br>ness<br>(ft.) | Total<br>Depth<br>(ft.) |
|---------------------|-------------------------|-------------------------|
| Top soil & red clay | 20                      | 20                      |
| Blue clay           | 80                      | 100                     |
| Stoney clay         | 115                     | 115                     |
| Hardpan             | 12                      | 127                     |
| Top rock            | 2                       | 129                     |
| Lime rock           | 103                     | 232                     |
|                     |                         |                         |
|                     |                         |                         |
|                     |                         |                         |
|                     |                         |                         |
|                     |                         |                         |
|                     |                         |                         |
|                     |                         |                         |
|                     |                         |                         |

**11. MISCELLANEOUS DATA:**

Yield test: 4 Hrs. at 12 GPM.  
 Depth from surface to water: 34 ft.  
 Water-level when pumping: 85 ft.  
 Water sample sent to laboratory at  
Kenosha on June 6, 1949

Signature E. H. Gougeon  
 Registered Well Driller

Construction of the well was completed on June 1, 1949  
 The well is terminated 6 inches  
 (above) (below) the permanent grade.  
 Was the well disinfected upon completion?  
 Yes X No         
 Was the well sealed watertight upon completion?  
 Yes X No       

6993 N. Gray Bay Lane  
 Complete Mail Address  
Milwaukee 9, Wis.

(4)



## MAY 3

Town  
~~Village~~  
~~City~~

## 10. FORMATIONS:

[illegible]

| Dis.<br>(in.) | Kind          | From<br>(ft.) | To<br>(ft.) |
|---------------|---------------|---------------|-------------|
| 6             | Standard      |               |             |
|               | wt steel pipe | 0             | 50          |
|               |               |               |             |
|               |               |               |             |

| Kind                   | From<br>(ft.) | To<br>(ft.) |
|------------------------|---------------|-------------|
| puddled Clay<br>(fill) | 0             | 30          |

Yield test: 3 Hrs. at 15 GPM.

Water-level when pumping: 32 ft.

Kenosha on 4-2 1945

H. P. Dacey  
Registered Well Driller

Construction of the well was completed on -----  
 ----- 4 - 1 ----- 1945

The well is terminated \_\_\_\_\_ 8 \_\_\_\_\_ inches  
(above) (below) the permanent grade.

Was the well disinfected upon completion?

Yes ~~X~~ \_\_\_\_\_ No \_\_\_\_\_

Was the well sealed watertight upon completion?

Yes X No \_\_\_\_\_

7616. N. 43 ST

Complete Mail Address

Milwaukee 9 wis

5



## INSTRUCTIONS

ALL INFORMATION INDICATED ON THE FACE OF THIS FORM MUST BE GIVEN

PLEASE BE GUIDED BY THE FOLLOWING:

Numbers below correspond to numbers of items of the form on the opposite side.

1. Name of the County and the name of the Town, Village or City. Indicate which is given.
2. If Rural: Number and the  $\frac{1}{4}$  of the Section, the number of the Town North, and the number of the Range East or West.  
If Urban: Name of the Street and the number of the Premise.
3. Name of the Owner. If the name of the owner cannot be given, give instead the name of the Agent. Indicate which is given.
4. Name of the Street and the number of the Premise or the number of the Mail Route, the name of the Post Office and the name of the State.
5. Distance, in feet, from the well to the nearest building and to each source of pollution shown.
6. Indicate: Home, farm, school, tavern, creamery, community, industry, etc.
7. Show the diameter and depth of the initial drillhole or excavation and each reduction in size to bottom. If well was reconstructed, show diameter and depth of original well on first line.
8. Show diameter and kind of casing pipe, liner pipe or curbing and actual position in the well, measured from the surface.
9. Show kind of material (mud or cement) used in sealing the annular space, from and to what depths from the surface. If neither was used indicate "none".
10. Show thickness of each formation and the total depth at the base thereof.
11. Provide the data indicated.

Your opinion concerning other pollution hazards, information concerning difficulties encountered, and data relating to nearby wells, screens, seals, type of casing joints, method of finishing the well, amount of cement used in grouting, blasting, subsurface pumprooms, connecting pits, etc., may be given here:

A dug type well, 3.5 ft deep and 7.0 ft from new well will be permanently abandoned. Owner agrees to fill with clay. A pump jack is used to supply water milkhouse and barn.

DO NOT FILM

If more space is needed another sheet may be attached.



WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH W-1 5  
See Instructions on Reverse Side

1. County Milwaukee Town ☐ Village ☐ City ☒ Milwaukee Check one and give name  
2. Location 6321 W. Grand Ave. Rd. NW, NE, NE Sec. 22  
Name of street and number of premise or Section, Town and Range numbers  
3. Owner ☒ or Agent ☐ Milwaukee Polo Field T 8 N R 2 E  
Name of individual, partnership or firm  
4. Mail Address Same Complete address required

RECEIVED

5. From well to nearest: Building 10 ft; sewer 100 ft; drain        ft; septic tank        ft; dry well or filter bed        ft; abandoned well        ft.

6. Well is intended to supply water for: farm SANITARY ENGINEER

7. DRILLHOLE:

| Dia. (in.) | From (ft.) | To (ft.) | Dia. (in.) | From (ft.) | To (ft.) |
|------------|------------|----------|------------|------------|----------|
| 8          | 0          | 101      |            |            |          |
| 6          | 101        | 175      |            |            |          |

8. CASING AND LINER PIPE OR CURBING:

| Dia. (in.) | Kind and Weight | From (ft.) | To (ft.) |
|------------|-----------------|------------|----------|
| 6          | Steel           | 0          | 101      |
|            |                 |            |          |
|            |                 |            |          |

9. GROUT:

| Kind   | From (ft.) | To (ft.) |
|--------|------------|----------|
| mortar | 0          | 101      |
|        |            |          |
|        |            |          |

11. MISCELLANEOUS DATA:

Yield test: 4 Hrs. at 20 GPM.

Depth from surface to water-level: 54 ft.

Water-level when pumping: 60 ft.

Water sample was sent to the state laboratory at:

Marion on July 5 1961  
City

Signature [Signature]  
Registered Well Driller

Please do not write in space below

10. FORMATIONS:

| Kind       | From (ft.) | To (ft.) |
|------------|------------|----------|
| red clay   | 0          | 8        |
| sand       | 8          | 14       |
| clay       | 14         | 60       |
| bedrock    | 60         | 78       |
| concretion | 78         | 175      |
|            |            |          |
|            |            |          |
|            |            |          |

Construction of the well was completed on:

June 30 1961

The well is terminated 10 inches  
☒ above, below ☐ the permanent ground surface.

Was the well disinfected upon completion?

Yes ☒ No ☐

Was the well sealed watertight upon completion?

Yes ☒ No ☐

LIEBAU-LAUN, INC.

1200 W. LIEBAU RD. 124 N.  
MEQUON, Complete Mail Address  
WISCONSIN

Rec'd JUL 6 - 1961 No.       

Ans'd       

Interpretation       

SAFE—BACTERIOLOGICALLY

10 ml 10 ml 10 ml 10 ml 10 ml

Gas—24 hrs.       

48 hrs.       

Confirm       

B. Coll       

Examiner





**WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH**  
See Instructions on Reverse Side

1. County Milwaukee Town ☒ Village ☐ City ☐ Grandville **RECEIVE**  
Check one and give name

2. Location N.W. 1/4 of N.W. 1/4 Sec. 23 T. 8N. R. 21E.  
Name of street and number of premise or Sec. Tn. and R. numbers

3. Owner ☒ or Agent ☐ Hans Muehlbacher  
Name of individual, partnership or firm

4. Mail Address 5511 W. Good Hope Rd. Milwaukee 9 Wisconsin.  
Complete address required

5. From well to nearest: Building 15 ft; sewer none ft; drain 15 ft; septic tank 30 ft;  
dry well or filter bed 37 ft; abandoned well 40 ft.

6. Well is intended to supply water for: house and acar

**7. DRILLHOLE:**

| Dis. (in.) | From (ft.) | To (ft.) |
|------------|------------|----------|
| 10         | 0          | 20       |
| 6          | 0          | 166      |
|            |            |          |
|            |            |          |

**8. CASING AND LINER PIPE OR CURBING:**

| Dis. (in.) | Kind             | From (ft.) | To (ft.) |
|------------|------------------|------------|----------|
| 7 in OD    | Blk. 24 Lb. pipe | 0          | 86       |
|            |                  |            |          |
|            |                  |            |          |

**9. GROUT:**

| Kind           | From (ft.) | To (ft.) |
|----------------|------------|----------|
| Drill cuttings | 0          | 20       |
|                |            |          |
|                |            |          |

**10. FORMATIONS:**

| Kind           | From (ft.) | To (ft.) |
|----------------|------------|----------|
| Clay           | 0          | 20       |
| Gravel         | 66         | 86       |
| Limestone      | 74         | 160      |
| Limestone W.B. | 6          | 166      |
|                |            |          |
|                |            |          |
|                |            |          |
|                |            |          |
|                |            |          |
|                |            |          |
|                |            |          |
|                |            |          |

**11. MISCELLANEOUS DATA:**

Yield test: 3 Hrs. at 12 GPM.

Depth from surface to water: 33 ft.

Water-level when pumping: 66 ft.

Water sample sent to laboratory at

Kenosha on Sept. 29 1949

Signature Garber & Son

Registered Well Driller

*B. J. Garber*

Construction of the well was completed on Sept. 29 1949

The well is terminated 8 inches ☒ above, below ☐ the permanent ground surface.

Was the well disinfected upon completion?

Yes ☐ No ☒

Was the well sealed watertight upon completion?

Yes ☒ No ☐

5807 W. Hampton Rd.

Complete Mail Address

Milwaukee 9 Wisc.



**WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH**  
See Instructions on Reverse Side

Well (

1. County Milwaukee Town ☐ Village ☐ City ☒ Milwaukee  
Check one and give name
2. Location 5701 West Good Hope Road  
Name of street and number of premise or Section, Town and Range numbers NWNW Sec 23 TRN R21E
3. Owner ☐ or Agent ☒ Walbirt Homes  
Name of individual, partnership or firm
4. Mail Address 3805 West Lisbon Street, Milwaukee, Wisconsin  
Complete address required
5. From well to nearest: Building 15 ft; sewer --- ft; drain 25 ft; septic tank 50 ft;  
dry well or filter bed 50 ft; abandoned well --- ft.
6. Well is intended to supply water for: home

**7. DRILLHOLE:**

| Dia. (in.) | From (ft.) | To (ft.) | Dia. (in.) | From (ft.) | To (ft.) |
|------------|------------|----------|------------|------------|----------|
| 10         | 0          | 40       |            |            |          |
| 6          | 40         | 187      |            |            |          |

**8. CASING AND LINER PIPE OR CURBING:**

| Dia. (in.) | Kind and Weight | From (ft.) | To (ft.) |
|------------|-----------------|------------|----------|
| 6          | steel           | 0          | 127      |
|            |                 |            |          |
|            |                 |            |          |

**9. GROUT:**

| Kind      | From (ft.) | To (ft.) |
|-----------|------------|----------|
| Clay slur | 0          | 40       |
|           |            |          |
|           |            |          |

**11. MISCELLANEOUS DATA:**

Yield test: 8 Hrs. at 8 GPM.  
Depth from surface to water-level: 85 ft.  
Water-level when pumping: 127 ft.  
Water sample was sent to the state laboratory at:  
Madison on August 19, 1959  
City

**10. FORMATIONS:**

| Kind          | From (ft.) | To (ft.) |
|---------------|------------|----------|
| Top soil      | 0          | 2        |
| Clay          | 2          | 87       |
| Clay & Gravel | 87         | 127      |
| Rock          | 127        | 187      |
|               |            |          |
|               |            |          |

**RECEIVED**

AUG 31 1959

ENVIRONMENTAL  
SANITATION

Construction of the well was completed on:

August 14, 1959

The well is terminated 8 inches  
☒ above, below ☐ the permanent ground surface.

Was the well disinfected upon completion?

Yes ☒ No ☐

Was the well sealed watertight upon completion?

Yes ☒ No ☐

Signature [Signature] 6125 W. Fond du Lac Ave. Milwaukee  
Registered Well Driller Complete Mail Address Wisconsin

Please do not write in space below

Rec'd AUG 21 1959 No 28452

Ans'd ---

Interpretation SAFE

10 ml 10 ml 10 ml 10 ml 10 ml

Gas-24 hrs. ---

48 hrs. ---

Confirm ---

B. Coll [Signature]

Examiner [Signature]



## WELL CONSTRUCTOR'S REPORT

## WISCONSIN STATE BOARD OF HEALTH

|   |                     |  |                        |                     |   |                     |
|---|---------------------|--|------------------------|---------------------|---|---------------------|
| 1. COUNTY<br>Milwaukee  |                     | CHECK ONE<br><input type="checkbox"/> Town <input type="checkbox"/> Village <input checked="" type="checkbox"/> City |                        | NAME<br>Milwaukee   |   | RECEIVED            |
| 2. LOCATION (Number and Street or 1/4 section, section, township and range. Also give subdivision name, lot and block numbers when available.)<br>5401 W. Good Hope Rd., Milwaukee 53209 NINE NW Sec 23 T8N R21E DUL - 1 10 |                     |  |                        |                     |   |                     |
| 3. OWNER AT TIME OF DRILLING<br>Milwaukee Brewer Sport Center   |                     |  |                        |                     |   |                     |
| 4. OWNER'S COMPLETE MAIL ADDRESS<br>1841 N. 20 St., Milwaukee 53205   |                     |  |                        |                     |   |                     |
| 5. Distance in feet from well to nearest:<br>(Record answer in appropriate block)   |                     | BUILDING<br>C.I.   | SANITARY SEWER<br>C.I. | FLOOR DRAIN<br>C.I. | FOUNDATION DRAIN<br>SEWER CONNECTED INDEPENDENT | WASTE WATER<br>C.I. |
| 4   |                     |  |                        |                     |   |                     |
| CLEAR WATER DRAIN<br>C.I.   | SEPTIC TANK<br>TILE | PRIVY  | SEEPAGE PIT            | ABSORPTION FIELD    | BARN  | SLO                 |
|   |                     |  |                        |                     |   |                     |
| OTHER POLLUTION SOURCES (Give description such as dump, quarry, drainage well, stream, pond, lake, etc.)  |                     |  |                        |                     |   |                     |

6. Well is intended to supply water for:  
Irrigation of soccer field

| 7. DRILLHOLE                          |                              |          |            |            |          | 10. FORMATIONS |            |
|---------------------------------------|------------------------------|----------|------------|------------|----------|----------------|------------|
| Dia. (in.)                            | From (ft.)                   | To (ft.) | Dia. (in.) | From (ft.) | To (ft.) | Kind           | From (ft.) |
| 10                                    | Surface                      | 23       | 6          | 23         | 144      | Stony clay     | Surface    |
|                                       |                              |          |            |            |          | Hardpan        | 35         |
|                                       |                              |          |            |            |          | Limestone      | 70         |
| 8. CASING, LINER, CURBING, AND SCREEN |                              |          |            |            |          |                |            |
| Dia. (in.)                            | Kind and Weight              |          | From (ft.) | To (ft.)   |          |                |            |
| 6                                     | Standard steel<br>19.45#/ft. |          | Surface    | 70         |          |                |            |
| 9. GROUT OR OTHER SEALING MATERIAL    |                              |          |            |            |          |                |            |
| Kind                                  |                              |          | From (ft.) | To (ft.)   |          |                |            |
| Drill cuttings                        |                              |          | Surface    | 23         |          |                |            |

|  |    |         |  |  |  |
|--|----|---------|--|--|--|
| 11. MISCELLANEOUS DATA                   |    |         |  | Well construction completed on June 22 |  |
| Yield test:                              | 5  | Hrs. at | 30   | GPM                                    | Well is terminated 11 inches <input checked="" type="checkbox"/> above <input type="checkbox"/> below fins |
| Depth from surface to normal water level | 30 | ft.     | Well disinfected upon completion <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No       |  |  |
| Depth to water level when pumping        | 37 | ft.     | Well sealed watertight upon completion <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |  |  |
| Water sample sent to Madison             |    |         |  | laboratory on: June 28                 |  |

Your opinion concerning other pollution hazards, information concerning difficulties encountered, and data relating to wells, screens, seals, type of casing joints, method of finishing the well, amount of cement used in grouting, blast surface pumprooms, access pits, etc., should be given on reverse side.

|                                     |  |
|-------------------------------------|--|
| SIGNATURE<br><i>Robert W. Dachs</i> | COMPLETE MAIL ADDRESS<br>6993 N. Green Bay Ave.,<br>Milwaukee, Wisconsin 53209 |
| Registered Well Driller             |  |

Please do not write in space below

|                      |               |               |           |         |
|----------------------|---------------|---------------|-----------|---------|
| COLIFORM TEST RESULT | GAS - 24 HRS. | GAS - 48 HRS. | CONFIRMED | REMARKS |
|                      |               | (9)           |           |         |



**WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH**  
See Instructions on Reverse Side

Well

1. County Milwaukee Town ☐ Milwaukee  
 Village ☐ Milwaukee  
 City ☒ Milwaukee Check one and give name
2. Location 5115 West Good Hope Road  
Name of street and number of premises or Section, Town and Range numbers
3. Owner ☒ or Agent ☐ Luderus Bros. INCENENW SEC 23 T8N R21E  
Name of individual, partnership or firm
4. Mail Address 5115 West Good Hope Road Milwaukee  
Complete address required
5. From well to nearest: Building 16 ft; sewer 22 ft; drain 16 ft; septic tank None ft;  
 dry well or filter bed None ft; abandoned well None ft.
6. Well is intended to supply water for: Wood & Jewel co offices

**7. DRILLHOLE:**

| Dia. (in.) | From (ft.) | To (ft.) | Dia. (in.) | From (ft.) | To (ft.) |
|------------|------------|----------|------------|------------|----------|
| 10         | 0          | 22       |            |            |          |
| 6          | 22         | 149      |            |            |          |

**8. CASING AND LINER PIPE OR CURBING:**

| Dia. (in.) | Kind and Weight            | From (ft.) | To (ft.) |
|------------|----------------------------|------------|----------|
| 6          | Standard weight steel pipe | 0          | 70       |

**9. GROUT:**

| Kind         | From (ft.) | To (ft.) |
|--------------|------------|----------|
| Cuddled clay | 0          | 22       |

**11. MISCELLANEOUS DATA:**

Yield test: 4 1/2 Hrs. at 12 GPM.

Depth from surface to water-level: 50 ft.

Water-level when pumping: 60 ft.

Water sample was sent to the state laboratory at:

Madison on June 1 1959  
City

**10. FORMATIONS:**

| Kind                   | From (ft.) | To (ft.) |
|------------------------|------------|----------|
| top filling and gravel | 0          | 22       |
| clay                   | 22         | 75       |
| Hard Pan               | 75         | 68       |
| Top rock               | 68         | 77       |
| quartzite Rock         | 77         | 140      |

**RECEIVED**

JUN 9 1959

**ENVIRONMENTAL  
SANITATION**

Construction of the well was completed on:

May 29 1959

The well is terminated 6 inches  
☒ above, below ☐ the permanent ground surface.

Was the well disinfected upon completion?

Yes ☒ No ☐

Was the well sealed watertight upon completion?

Yes ☒ No ☐

Signature Emil H. Hoeck 5748 North Kildeer St Milwaukee WI  
Registered Well Driller Complete Mail Address

Please do not write in space below

Rec'd JUN 2 - 1959 No. 14587

Ans'd \_\_\_\_\_

Interpretation \_\_\_\_\_

**SAFE**

Gas—24 hrs. \_\_\_\_\_

48 hrs. \_\_\_\_\_

Confirm \_\_\_\_\_

B. Coll. \_\_\_\_\_

Examiner \_\_\_\_\_

(10)





# WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH

See Instructions on Reverse Side

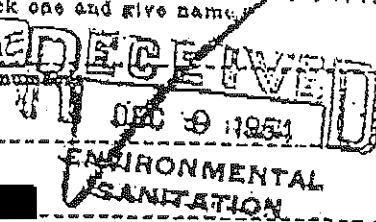
1. County Milwaukee Town ☒ Granville  
 Village ☐ ~~XXXXXX~~  
 City ☐ ~~XXXXXX~~  
 Check one and give name

2. Location non-respo WENENW Sec 23 T8N R21E  
 Name of street and number of premise or Section, Town and Range number

3. Owner ☐ or Agent ☐ Chas C. Rose  
 Name of individual, partnership or firm

4. Mail Address no XXXXXX XXXXXX  
 Complete address required

5. From well to nearest: Building 15 ft; sewer XX ft; drain 15 ft; septic tank unknown  
 dry well or filter bed unknown ft; abandoned well XX ft.



6. Well is intended to supply water for: home

## 7. DRILLHOLE:

| Dia. (in.) | From (ft.) | To (ft.) | Dia. (in.) | From (ft.) | To (ft.) |
|------------|------------|----------|------------|------------|----------|
| 5          | 0          | 65       |            |            |          |
| 5          | 0          | 126      |            |            |          |

## 8. CASING AND LINER PIPE OR CURBING:

| Dia. (in.) | Kind and Weight | From (ft.) | To (ft.) |
|------------|-----------------|------------|----------|
| 5          | blk. std. 15.00 | 65         | 74       |
|            |                 |            |          |
|            |                 |            |          |

## 9. GROUT:

| Kind | From (ft.) | To (ft.) |
|------|------------|----------|
| None | 0          | 0        |
|      |            |          |

## 11. MISCELLANEOUS DATA:

Yield test: 4 Hrs. at 10 GPM.

Depth from surface to water-level: 27 ft.

Water-level when pumping: 48 ft.

Water sample was sent to the state laboratory at:

Kenosha on 6/24 19 50  
 City

## 10. FORMATIONS:

| Kind               | From (ft.) | To (ft.) |
|--------------------|------------|----------|
| Well pit           | 0          | 5        |
| old well           | 51         | 56       |
| sandgravel fill    | 3          | 59       |
| Hardpan            | 15         | 74       |
| limestone dark     | 44         | 118      |
| lime: tone lightWB | 8          | 126      |
|                    |            |          |

Construction of the well was completed on:

June 23 19 50

The well is terminated 58 inches

☐ above, below ☒ the permanent ground surface.

Was the well disinfected upon completion?

Yes X No

Was the well sealed watertight upon completion?

Yes X No

Signature Garber & Son B. J. Garber 5807 W. Hampton Rd. Milwaukee 16  
 Registered Well Driller Complete Mail Address

Please do not write in space below

Rec'd \_\_\_\_\_ No. \_\_\_\_\_

Ans'd \_\_\_\_\_

Interpretation \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10 ml 10 ml 10 ml 10 ml 10 ml

Gas—24 hrs. \_\_\_\_\_

48 hrs. \_\_\_\_\_

Confirm \_\_\_\_\_

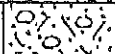
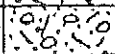
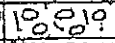
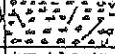
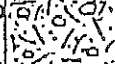
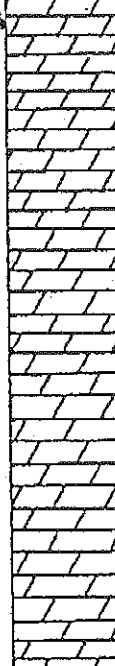
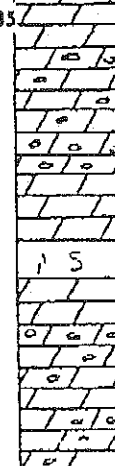
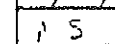
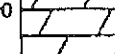
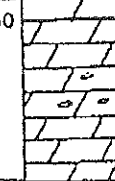
B. Coll \_\_\_\_\_

Examiner \_\_\_\_\_



= BROWN DEER #14, = GOLF VIEW SUBDIVISION #2

CALUMET PARK INC. WELL, BROWN DEER, WISCONSIN  
 NE 1/4, Sec. 14, T 8N, R 21E, S2nd & West Hemlock Sts.  
 Knaack & Son Company, driller, August 1957  
 Sample Nos. 204829-204921 - Examined by J. E. Steuwerwald  
 Alt 700' ETM

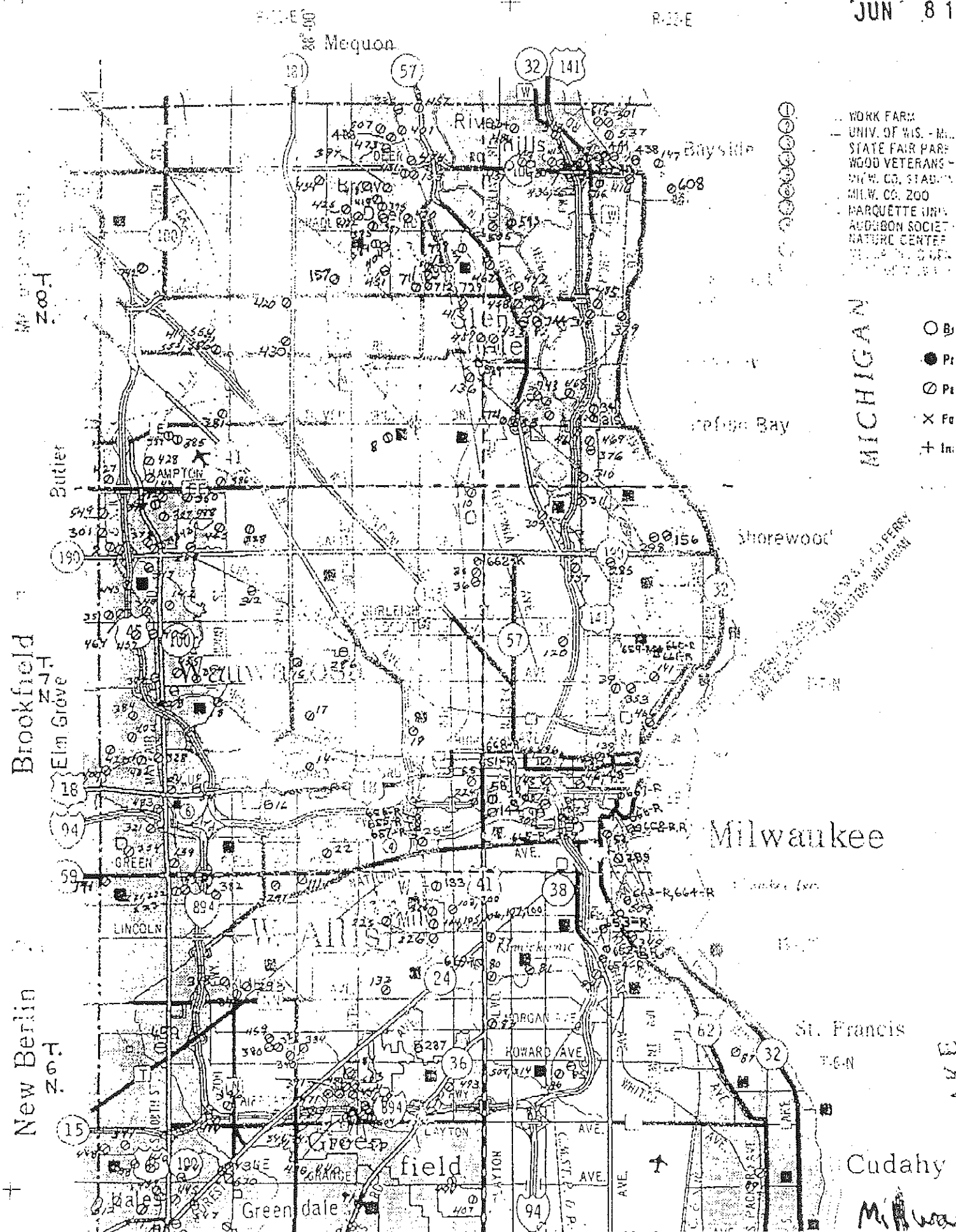
|                                      |           |     |   |   |   |
|--------------------------------------|-----------|-----|---|---|---|
| D<br>R<br>I<br>F<br>T                | 0 - 17    | 17  |    | Till, light yellow-brown, dolomitic, clayey, sandy, stony             | cement grout<br>16" pipe<br>27' water<br>40' 16" hole<br>46' 16" hole |
|                                      | 17 - 31   | 14  |    | Till, medium gray, dolomitic, clayey, sandy, stony                    |   |
|                                      | 31 - 41   | 10  |    | Till, medium gray, dolomitic, some clay, many stones                  |   |
|                                      | 41 - 54   | 13  |    | Gravel, fine, little clay (till?)                                     |   |
|                                      | 54 - 74   | 20  |    | Till, pink-brown-gray, dolomitic, much clay, sandy, stony             |   |
| 74                                   |           |     |   |   |   |
| M<br>I<br>A<br>C<br>H<br>E<br>R<br>E | 74 - 258  | 184 |   | Dolomite, medium gray, little light gray dolomite 123-153 and 228-248 | 10" pipe<br>74'<br>10" hole   |
|                                      | 258 - 393 | 135 |  | Dolomite, light gray, little white chert 268-298 and 333-393          |   |
|                                      |           |     |  | No sample 328-338   |   |
|                                      | 393 - 413 | 20  |  | Dolomite, light gray, little pink-gray                                |   |
|                                      | 413 - 463 | 50  |  | Dolomite, light gray, trace of white chert                            |   |
| 389                                  |           |     |   |   |   |

467

Total depth

Formation: Drift, Niagara  
 Tested for 22 hours @ 135 gpm, specific capacity = 0.8 gpm/ft. of drawdown.



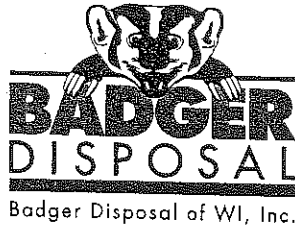




**Appendix B**  
**HISTORICAL AND ARCHEOLOGICAL**  
**CORRESPONDENCE**







October 31, 2005

Vicki Dirst  
952 Tacoma Beach Road  
Sturgeon Bay, WI 54235

Dear Vicki,

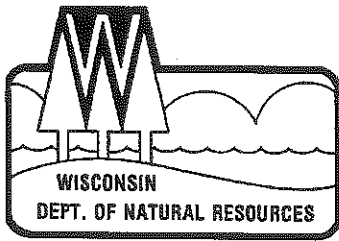
As per our conversation of this afternoon, Badger Disposal is requesting a Cultural Resources Investigation for 5611 West Hemlock Street, Milwaukee, WI 53223. We received an initial reply on June 29, 1994. I have enclosed a copy for your review. As part of our Hazardous Waste Transfer and Storage permit renewal we are requesting an update.

Thank you for your assistance, if you have any questions or require additional information for this review please contact me.

Sincerely,  
Badger Disposal of WI., Inc.

Kandylee Schmit  
Compliance Officer





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

Archaeology Office  
952 Tacoma Beach Rd.  
Sturgeon Bay, WI 54236  
Telephone: 920-743-2083

November 3, 2005

Kandylee Schmit  
Badger Disposal  
5611 W. Hemlock St.  
Milwaukee, WI 53223

SUBJECT: EOG Disposal, Milwaukee, Wisconsin

Dear Ms. Schmit:

I have reviewed Wisconsin Historical Society files and have determined that there are no known archaeological sites or historic structures at the location of EOG Disposal, 5611 West Hemlock Street, Milwaukee, Wisconsin (T8N, R21E, section 14). There are no cultural resource compliance concerns regarding the proposed renewal of the Hazardous Waste Transfer and Storage Permit for this facility.

Sincerely,

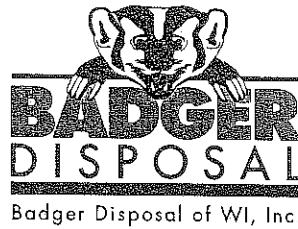
Victoria Dirst, Ph.D.  
DNR Archaeologist



**Appendix C**

**ENDANGERED SPECIES CORRESPONDENCE**





October 31, 2005

State of Wisconsin  
DNR  
Endangered Resources Impact Review  
Bureau of Endangered Resources  
P.O. Box 7921  
Madison, WI 53707-7921

Dear Sirs,

This letter is to formally request an environmental review for our property located at 5611 West Hemlock Street, Milwaukee, WI 53223. Enclosed is a review request form as well as a map of the site location.

If you require any additional information or have any questions about this request please contact me.

Sincerely,  
Badger Disposal of WI., Inc.

Kandylee Schmit  
Compliance Officer





**Notice:** To obtain a review of your project, you are required to provide all information requested on this form. Completion of this form is required for your request to be processed. Personal information collected will be used for administrative purposes, and may also be made available to requesters under Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Wisconsin's Natural Heritage Inventory (NHI) consists of a combination of historic records and ongoing survey information on rare plants, animals, and natural communities in an integrated system of computer databases, maps, and paper files. The Bureau of Endangered Resources provides this information, along with project timing, location advice and survey recommendations for resource management activities.

**Instructions:** The following materials are required to process the request. Send to the address listed above.

- Letter formally requesting environmental review
- Map(s) delineating the project area (preferably a USGS quadrangle map)
- Completed, signed form
- Relevant attachments, e.g. point discharge information

**Prior to filling out this form, you must answer these required questions:**

1. Is the information being requested for a commercial or residential development project? ☒ Yes ☐ No
2. If Yes to 1, does the applicant own the property or have landowner consent to request this review? ☒ Yes ☐ No
  - If Yes to 2, please fill out the following information and return the form to Bureau of Endangered Resources.
  - If No to 2, refer to the NHI Online Database: [dnr.wi.gov/org/land/er/nhi/NHI\\_ims/onlinedb.htm](http://dnr.wi.gov/org/land/er/nhi/NHI_ims/onlinedb.htm). Please note the online database is not intended for regulatory review, but is intended for general information and planning purposes. More specific information requires landowner consent.

**Applicant Requesting Natural Heritage Inventory Information** (all correspondence and invoices will be sent to this person)

Name: Henry Krier Organization: BADGER DISPOSAL of WI, INC.  
Street Address: 5611 West Hemlock Street City: Milwaukee State: WI ZIP Code: 53223  
Telephone Number: 414-760-9175 Fax Number: 414-760-9175 E-Mail Address: henry@badgerdisposal.com

**Individual / Organization / Agency Proposing Project** (if different from above)

Name: \_\_\_\_\_ Organization: \_\_\_\_\_  
Street Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

**Location of Proposed Project** - Remember to attach a topographic or plat map delineating the project area

County(ies) Milwaukee

| Township | Range    | (circle one) | Section(s)               |
|----------|----------|--------------|--------------------------|
| <u>8</u> | <u>N</u> | <u>(E) W</u> | <u>SW 1/4 of Sec. 14</u> |
|          | <u>N</u> | <u>E / W</u> |                          |
|          | <u>N</u> | <u>E / W</u> |                          |

**Proposed Project Information**

What is the proposed date you intend to begin work on the project? Report development presently 10/31/05  
Briefly describe the project and the type of disturbance associated with the project. For point source discharges into waterbodies please indicate the discharge location, nature of any increase in discharge, and the expected mixing zone. Attach additional pages as necessary.

New Construction of buildings on property at:

5611 W. Hemlock Street  
Milwaukee, WI 53223



Proposed Project Information (continued)

Briefly describe current land use and habitat types in the project area (i.e. 50% in row crops and 50% semi-open oak woods or project area entirely within active soybean field).

Hazardous Waste Transfer/Storage facility.

List any waterbodies such as rivers, intermittent streams, lakes, or wetlands that are within or near the project area. List any known or suspected impacts to these waterbodies as a result of the project.

N/A

List any reports that have been prepared to describe the habitat that will be affected by the project (i.e. wetland delineation, habitat reconnaissance surveys, rare species surveys, etc.).

N/A

List all other Endangered Resources / NHI reviews that have been submitted or conducted for a different phase, portion, or other alternative(s) relating to this project. List ER log # and date (i.e. 00-132 and 2/10/2002) or any other correspondence.

Log # 94-211 Completed for this site 7/14/1994

List all permits, licenses, or regulatory approvals you have or plan on applying for, or already have received as part of this project:

| Permit, License or Approval | Contact Person for Permit, etc. | Contact Person's Agency, District or Bureau | Application Status  |
|-----------------------------|---------------------------------|---|---|
| 6026                        | Pat Brady                       | WI DNR<br>Milwaukee, WI                     | <input type="checkbox"/> will be applying for<br><input type="checkbox"/> have applied for<br><input checked="" type="checkbox"/> have received |
|                             |                                 |   | <input type="checkbox"/> will be applying for<br><input type="checkbox"/> have applied for<br><input type="checkbox"/> have received            |
|                             |                                 |   | <input type="checkbox"/> will be applying for<br><input type="checkbox"/> have applied for<br><input type="checkbox"/> have received            |

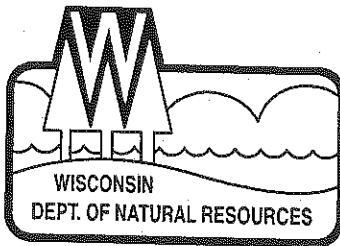
Applicant Certification

To the best of my knowledge the information above is complete and accurate. I understand that the specific location of endangered resources is sensitive information and will use the material provided solely for analysis and review of the above project. I agree not to include exact locations of endangered resources in any publicly disseminated documents. I agree to contact the Bureau prior to publishing any information provided by the Wisconsin Natural Heritage Inventory and to credit the Bureau of Endangered Resources as the source of the material.

I also agree to pay, within 30 days of receipt of NHI information, the fees charged by the Department. There is a charge of \$20/hour (with a minimum fee of \$60) for non-DNR requesters. [Refer to Chapter NR 29 Wisconsin Administrative Code for more information on the fee structure and billing exemptions.]

Applicant Signature: Henry J. Krier Date Signed: 10/31/05 Applicant Name (please print): Henry Krier





## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY 608-267-6897

December 27<sup>th</sup>, 2005

Henry Krier  
Badger Disposal of WI, Inc.  
5611 West Hemlock Street  
Milwaukee, WI 53223

SUBJECT: Endangered Resources Review (ERIR Log # 05-305)  
Proposed Badger Disposal Expansion Project, Milwaukee County

Dear Mr. Krier,

The Bureau of Endangered Resources has reviewed the project area described in your review request received November 2, 2005 for the proposed Badger Disposal Expansion Project in the City of Milwaukee.

Our Natural Heritage Inventory data files contain the following information for the project site located in T8N R21E Section 14 in Milwaukee County. In addition to the proposed project site, endangered resource information is provided for an area within two miles of the project's location (and five miles for aquatic species). This information is provided so impacts to nearby endangered resources can be assessed and to assist in determining which rare species may occur in the project's impact area. If the described habitat types exist in the project's impact area, then species that occur nearby may be present at the proposed location. Endangered resources documented within and around the project area include:

- **Butler's gartersnake** (*Thamnophis butleri*), a snake listed as Threatened in Wisconsin, prefers wet-mesic prairies, marshes and adjacent grassy and vacant areas, requiring a moderately open to open canopy habitat, preferably with both upland and wetland habitat. The breeding season occurs from late March to late April and young are born in mid to late summer.
- **Handsome sedge** (*Carex formosa*), a plant listed as a Federal Species of Concern and Threatened in Wisconsin, prefers rich mesic woods, especially alluvial terraces or where dolomite is near the surface. Flowering occurs throughout the month of June. Optimal identification period is from mid-June to mid-July.
- **American gromwell** (*Lithospermum latifolium*), a plant of Special Concern in Wisconsin, prefers upland hardwood forests, often with dolomite near the surface. Blooming occurs throughout the month of June. Optimal identification period is from early June to late August.

Endangered and Threatened species are provided protection under the Wisconsin Endangered Species Law (29.604 State Stats.). Special Concern (Watch) species are those about which some problem of abundance or distribution is suspected but not yet proved. The main purpose of this category is to focus attention on certain species before they become endangered or threatened.

Comprehensive endangered resource surveys have not been completed for the project area. As a result, our data files may be incomplete. The lack of additional known occurrences does not preclude the possibility that other endangered resources may be present.



**Follow-up Actions:**

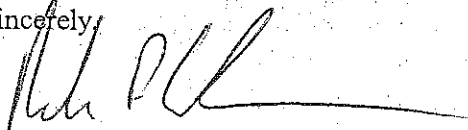
1. Based on the information submitted to our office, we have evaluated the proposed site according to the criteria of the Butler's Gartersnake Conservation Strategy (<http://dnr.wi.gov/org/land/er/review/Butler>). Due to the size and quality of suitable Butler's gartersnake habitat, the site was classified as containing a portion of a potential Tier 2 Site (Site of Moderate Conservation Value). As a result, the site is covered under the broad *Incidental Take Authorization for Tier 2 Butler's Gartersnake sites* (<http://dnr.wi.gov/org/land/er/take/TierOneButlers.htm>). Per the authorization, no conservation measures are required for the state-listed snake and any take that results from the proposed project is permitted. However, please note that we strongly encourage that the voluntary measures described within the above Strategy be incorporated into the project design to benefit the snake at the site. The measures can be found at <http://dnr.wi.gov/org/land/er/review/butler/cons.htm>.  
  
This letter serves as notice that the proposed project as described in your environmental review request of November 2, 2005 is covered under the broad *Incidental Take Authorization for Tier 2 Butler's Gartersnake sites* authorized in October 4, 2005.
2. The plant species listed above are from records within the vicinity of the project area. It is unlikely that habitat exists at your site for these species. However, if you suspect that habitat exists for any of these species, please contact our office for additional guidance on survey protocols and avoidance measures.

The specific location of endangered resources is sensitive information that has been provided to you for the analysis and review of this project. Exact locations should not be released or reproduced in any publicly disseminated documents.

**This letter is for informational purposes and only addresses endangered resource issues. This letter does not constitute Department of Natural Resources authorization of the proposed project and does not exempt the project from securing necessary permits and approvals from the Department.**

Please contact me at (608) 264-8968 if you have any questions about this information.

Sincerely,



Andrew P. Galvin, ER/6  
Endangered Resources Program

cc: Jen Jerich – SER/Milwaukee  
Jim Ritchie – SER/Milwaukee  
Susan Eichelkraut – SER/Sturtevant  
Owen Boyle – SER/Milwaukee  
Bob Hay – ER/6



















